

# **War, Politics and Landed Society in Northumberland, c. 1296-c.1408**

**Andy King**

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## **Abstract**

Until 1296, Northumberland was a society with strong links across the border to Scotland, a border which had very little social significance; but with the outbreak of war, these links were destroyed, as many cross-border landholders forfeited their lands for supporting John Balliol. The resulting vacuum of power was filled largely by the crown, and the Scottish wars thus had the effect of bringing the Northumbrian gentry into closer contact with royal government.

The local government of Northumberland became inextricably bound up with the war effort, and was increasingly placed into the hands of the local gentry, whom the crown relied upon for the defence of the Marches. As a result, the crown administration came to be dominated by the county's military elite. Predictably, these men did take the opportunity to further their own interests; in particular, the extent of war damage was deliberately and systematically exaggerated so as to evade taxes. Nevertheless, this did not lead to a collapse of royal authority. Nor was the maintenance of law and order permanently undermined by Scottish incursions; Northumbrians continued to look to the crown for redress for crime.

The Scottish wars have usually been depicted by modern historians as enabling the Percy family to establish a dominant position in Northumberland, through the office of Warden of the March, but in fact, no magnate was able to effectively dominate Northumbrian political society during the fourteenth century. It was the state of armed half-peace which pervaded the borders in the fifteenth century which led to a collapse of royal authority in the county, as the Lancastrian dynasty lost interest in Scotland, and Northumberland once again became peripheral to the interests of the kings of England, as it had been until 1296.

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**17 SEP 2002**

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## Abbreviations

- AA:* *Archaeologia Aeliana*.
- Barbour:* References are by book and line, according to the divisions of the original text. Unless otherwise noted, the edition used is *Barbour's Bruce*, ed. M.P. McDiarmid & J.A.C. Stevenson, 3 vols, Scottish Text Society, 4th ser., xii, xiii, xv (1980-5).
- Bower:* *Bower's Scotichronicon*, ed. D.E.R. Watt, *et al.* (9 vols, Aberdeen and Edinburgh, 1987-98).
- BL:* British Library.
- Bridlington:* 'Gesta Edwardi de Carnarvon Auctore Canonico Bridlingtoniensi', and 'Gesta Edwardi Tertii Auctore Canonico Bridlingtoniensi', *Chronicles of the Reigns of Edward I and Edward II*, ed. W. Stubbs, RS 76 (London, 1883), vol. ii.
- CCR:* *Calendar of Close Rolls*.
- CCW:* *Calendar of Chancery Warrants*.
- CDS:* *Calendar of Documents Relating to Scotland*, ed. J. Bain (4 vols, Edinburgh, 1881-8), corrected with reference to *Calendar of Documents Relating to Scotland*, vol. v (Supplementary), ed. G.G. Simpson & J.B. Galbraith (Edinburgh, 1988).
- CFR:* *Calendar of Fine Rolls*.
- CIM:* *Calendar of Inquisitions Miscellaneous*.
- CIPM:* *Calendar of Inquisitions Post Mortem*.
- Commons:* J.S. Roskell, L. Clark, & C. Rawcliffe (eds), *The History of Parliament. The House of Commons, 1386-1421* (4 vols, Stroud, 1992).
- CPR:* *Calendar of Patent Rolls*.
- CS:* Camden Society.
- DCD:* Muniments of the Dean and Chapter of Durham Cathedral.
- EHR:* *English Historical Review*.
- Fædera:* *Fædera, conventiones, litteræ, et cujuscunque generis public acta*, etc., ed. T. Rymer (4 vols in 7 parts, Record Commission edn, 1816-69).
- Families:* W. Percy Hedley, *Northumberland Families* (2 vols, Newcastle upon Tyne, 1968-70).
- GEC:* G.E. Cockayne (ed.), *The Complete Peerage*, rev. & ed. V. Gibbs (12 vols, London, 1910-59).
- Hodgson, Northumb.:* John Hodgson & J. Hodgson Hinde, *A History of Northumberland* (7 vols in 3 parts, Newcastle upon Tyne, 1820-58).
- Ins. pub.:* *Instrumenta publica sive processus super fidelitatibus et homagiis Scotorum domino regi Angliæ factis*, ed. William Adam & Samuel Shepherd, Bannatyne Club (Edinburgh, 1834).
- Lanercost:* *Chronicon de Lanercost*, ed. J. Stevenson, Bannatyne Club lxxv (Edinburgh, 1839).
- Lay Sub.:* *The Northumberland Lay Subsidy Roll of 1296*, ed. C.M. Fraser (Newcastle, 1968).
- Melsa:* *Chronica Monasterii de Melsa*, ed. E.A. Bond, RS 43 (3 vols, 1866-8).
- Middleton:* A.E. Middleton, *Sir Gilbert de Middleton* (2 vols, Newcastle upon Tyne, 1918).
- NCH:* *Northumberland County History* (15 vols, Newcastle upon Tyne, 1893-1940).
- NDD:* *Northumberland and Durham Deeds from the Dodsworth MSS. in Bodley's Library*, Oxford, Newcastle upon Tyne Record Series vii (1929).
- NH:* *Northern History*.
- Northumb. Pets:* *Northumberland Petitions. Ancient Petitions Relating to Northumberland*, ed. C.M. Fraser, SS clxxvi (1966).

- NRO: Northumberland Record Office.
- Parl. Writs*: *Parliamentary Writs*, ed. F. Palgrave (2 vols in 4 parts, London, 1827-34).
- Percy Chart.*: *The Percy Chartulary*, ed. M.T. Martin, SS cxvii (1909).
- PPC: *Proceedings and Ordinances of the Privy Council of England*, ed. N.H. Nicolas (7 vols, Record Commission, 1834-7).
- Rot. Parl.*: *Rotuli Parliamentorum* (6 vols, London, 1767-77).
- Rot. Scot.*: *Rotuli Scotiae*, ed. D. Macpherson (2 vols, Record Commission, 1814-19).
- RPD: *Registrum Palatinum Dunelmense*, ed. T.D. Hardy, RS 62 (4 vols, 1873-8).
- RS: Rolls Series: *Rerum Britannicarum Medii Aevi Scriptores*.
- Scalacronica*: *Scalacronica*, by Sir Thomas Gray of Heton, Knight, ed. Joseph Stevenson (Edinburgh, 1836).
- Scalacronica* (Lel.): Leland's abstract of the *Scalacronica*, printed in *ibid.*, pp. 259-315.
- SS: Publications of the Surtees Society.
- Stevenson, *Docs*: *Documents Illustrative of the History of Scotland, 1286-1306*, ed. J. Stevenson (2 vols, London, 1870).
- TRHS: *Transactions of the Royal Historical Society*.
- Westminster*: *The Westminster Chronicle, 1381-1394*, ed. L.C. Hector & B.F. Harvey (Oxford, 1982).
- Wyntoun: *The Original Chronicle of Andrew of Wyntoun*, ed. F.J. Amours, Scottish Text Society (6 vols, 1903-14).

Note that, unless otherwise stated, manuscript references are to documents in the Public Record Office, Kew.

Unless otherwise stated, all details of terms served as sheriff and elections to parliament are taken from *List of Sheriffs*, Public Record Office Lists and Indexes, ix (repr. 1963), pp. 97-8, and *The Return of the Name of Every Member of the Lower House, 1213-1874* (2 vols, Parliamentary Papers, 1878), *passim*, without further reference.

## THE DESTRUCTION OF A CROSS-BORDER SOCIETY

One night in March 1296, shortly before Easter, a Scottish raiding party from Roxburgh castle surprised and routed an English force at the village of Presson in Northumberland. The English had been sent to relieve the castle of Wark, on the English side of the Tweed, held for them by William de Ros; the Scots were led by Robert de Ros, the lord of Wark, and the man whose brother William claimed to be. These were all men who shared the same culture, and spoke the same northern dialect of English. Therefore, in order to distinguish friend from foe, the Scots had arranged a password, 'Tabard', to which the correct response was 'Over tunic or horse'; but hearing these words being repeatedly shouted out, many of the English simply repeated them themselves, and were thus able to pass themselves off as Scots and escape into the darkness.<sup>1</sup> And so, in this almost farcical manner, some eighty-years of - comparatively - peaceful coexistence were brought to an end; and the long-standing cross-border links which had multiplied and flourished in this period were abruptly severed.<sup>2</sup> Already, in October 1295, as relations between England and Scotland were

<sup>1</sup> *The Chronicle of Walter of Guisborough*, ed. H. Rothwell, CS, 3rd ser., lxxxix (1957), pp. 271-2. It may reasonably be assumed that the passwords were shouted in English, and not the Latin quoted by the learned Walter. Though Walter believed William to be Robert's brother, it would appear that in fact, he was not (see below, p. 16). It should be added that Walter was much given to embellishing his stories, and this one may well have improved in the telling.

<sup>2</sup> Cross-border landholding and affiliations before 1296 are examined by Keith Stringer, 'Identities in Thirteenth-Century England: Frontier Society in the Far North', *Social and Political Identities in Western History*, ed. Claus Bjørn, Alexander Grant & Keith J. Stringer (Copenhagen, 1994); Alan Young, 'The North and Anglo-Scottish Relations in the Thirteenth Century', John C. Appleby & Paul Dalton (eds), *Government, Religion and Society in Northern England, 1000-1700* (Stroud, 1997); J.C. Holt, *The Northerners. A Study in the Reign of King John* (2nd edn, Oxford, 1993), *passim*; G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), *passim*; J.A. Tuck 'Northumbrian Society in the Fourteenth Century', *NH* vi (1971), pp. 22-4; *idem*, 'The Emergence of a Northern Nobility', *NH* xxii (1986), pp. 1-7.



rapidly deteriorating, Edward I had issued instructions to all the sheriffs of England that the lands and goods of John de Balliol were to be confiscated, along with those of ‘any others of the realm of Scotland who ... stay in that realm’. Some six months later, on the very day of the crushing defeat of the Scots at Dunbar, Edward renewed these instructions, ordering that ‘no adherents of John de Balliol late King of Scotland be allowed to remain on their English lands’.<sup>3</sup> For their part, the Scots took similar measures against those in Scotland who were deemed to be English (although, typically, these forfeitures are much less well-documented). On 21 April 1296, all the English beneficed clergy in the bishopric of St Andrews were formally (*sententialiter*) deprived of their benefices; describing this decree, Fordun goes on to add that, ‘in similar fashion, each and every Englishman remaining, layman as well as clergy, was expelled from the kingdom of Scots for their conspiracies’. Furthermore, in July, at a ‘solemn parliament’ at Stirling, the Scots deprived Robert Bruce the younger and his son of their lands, because they had fled to England; while William Wallace expelled all Englishmen (again) in 1297.<sup>4</sup> There were many in 1296 who owned land in both England and Scotland; but this mutual expulsion, of people suddenly deemed to be foreigners, made any form of neutrality untenable. These cross-border landholders owed allegiance to two kings - and were now faced by the stark choice of which of them to rebel against. Not surprisingly, cross-border links had flourished particularly in Northumberland; and as a consequence, the sheriff returned the names of twenty-one individuals said to be dwelling in Scotland and whose lands he had confiscated - more than for any other English county.<sup>5</sup> As we shall see, many of these had played a role in Northumbrian society; and one of them had fought a pitched

<sup>3</sup> *CFR 1272-1307*, p. 361; Stevenson, *Docs*, ii, 40-7; *CDS*, ii, no. 736.

<sup>4</sup> *Correspondence, Inventories, Account Rolls and Law Proceedings of the Priory of Coldingham*, ed. James Raine, SS xii (1841), pp. 248, 251 (the date of this decree is discussed in Bower, vi, 221); *Johannis de Fordun. Chronica Gentis Scotorum*, ed. William F. Skene, Edinburgh (2 vols, 1871), pp. 325, 329; Bower, vi, 60-2; *Lanercost*, pp. 162, 166.

<sup>5</sup> See Appendix 2, below. Also named were the abbots of Jedburgh, Kelso and Melrose, abbeys with extensive interests in Northumberland (Stringer, ‘Fontier Society in the Far North’, pp. 55-6). Incidentally, many of the Scots who held lands in Northumberland held their Scottish lands in Lothian, which bears out G.W.S. Barrow’s contention that the ‘patriotic cause’ was as strong there as elsewhere in Scotland (‘Lothian in the First War of Independence, 1296-1328’, *Scottish Historical Review* lv (1976), *passim*).

battle against his fellow countrymen. It is thus with good reason that for Northern England, the Anglo-Scottish conflict has been characterised as, ‘something of a civil war, in which it could not be entirely clear to which side a man’s loyalty should be given’.<sup>6</sup> So why did these Northumbrians decide to become Scottish, rather than English?

In Edward I’s reign, there can have been few who went over to the Scots by reason of fear of Scottish raiding. William Wallace’s raids on Northumberland were certainly devastatingly destructive, but the English victory at Falkirk ensured that they were not followed up. For the next decade and more, the war was fought largely in Scotland; and the Scots undoubtedly suffered far more from English incursions than *vice versa*. Indeed, Durham Priory’s accounts for its Northumbrian estates suggest that by the accession of Edward II, Northumberland’s economy had made a rapid and near-complete recovery from Wallace’s raids.<sup>7</sup> In fact, for many of those who held themselves as Scots, estates in Northumberland were more or less peripheral to their main interests. In a purely Northumbrian context, William de Douglas’ adherence to John Balliol might appear to be a consequence of his family’s feud with Gilbert de Umfraville, over the manor of Fawdon. The feud had come to a head in 1267, when de Umfraville led a company of 100 Redesdale outlaws in a ferocious assault on the manor house there, during which the young William was nearly decapitated.<sup>8</sup> However, as the head of a baronial family which had established itself in Scotland long before acquiring any English lands, Douglas was thoroughly Scottish; indeed, his family’s very name was derived from their barony in Lanarkshire.<sup>9</sup> Anyway, he had equal reasons to resent Edward I, who had imprisoned him and temporarily confiscated his English lands following his forceful abduction of Lady Eleanor, the

<sup>6</sup> Tuck, ‘Northern Nobility’, p. 7.

<sup>7</sup> C.J. McNamee, ‘William Wallace’s Invasion of Northern England in 1297’, *NH* xxvi (1990); Richard Lomas, ‘The Impact of Border Warfare: The Scots and South Tweedside, c. 1290-c. 1520’, *Scottish Historical Review* lxxv (1996), pp. 147-9; Tuck, ‘Northumbrian Society’, p. 26.

<sup>8</sup> *CDS*, i, no. 2452; J. Crawford Hodgson, ‘The Manor of Fawdon or the Northumbrian Possessions of the House of Douglas’, *History of the Berwickshire Naturalists Club* xxiii (1917), pp. 360-6.

<sup>9</sup> Michael Brown, *The Black Douglasses. War and Lordship in Late Medieval Scotland, 1300-1455* (East Linton, 1998), pp. 12-13. The family was probably descended from one of the Flemings settled in Clydesdale by the Kings of Scots in the mid-twelfth century.

widow of William de Ferrers, in 1289.<sup>10</sup> By the same token, although Umfraville gained possession of Fawdon through Douglas' rebellion,<sup>11</sup> it is hardly likely that he kept to the English camp by reason of this feud alone; the Douglasses were of little account in Scottish politics as yet - and they certainly did not wield influence enough to determine the allegiance of an earl.

Others whose Northumbrian estates were outweighed by their Scottish ties include Nicholas de Graham, a substantial Scottish landowner in his own right, from a family which was firmly rooted in Scotland, and which had close links with the Comyns.<sup>12</sup> He held a moiety of the barony of Wooler, worth nearly £30, but solely by right of his wife, the granddaughter of Robert de Muschamp; according to de Graham's inquest *post mortem*, they were 'never jointly enfeoffed nor held the barony in marriage', although their son did stand to inherit the lands on his mother's death.<sup>13</sup> Clearly, de Graham could only have thought of himself as a Scot. The same is true of John de Somerville, whose father, William, was captured at Dunbar, and again lost his lands for adhering to Bruce in 1306; they were related to the prominent Lanarkshire landowner, Sir Thomas de Somerville, and to Simon Fraser.<sup>14</sup> John's Scottishness was implicitly recognised by the English crown in 1306, when sixteen prisoners were condemned at Newcastle as supporters of Bruce. One of these, John de Seton, was described as an Englishman - and duly drawn and quartered for his pains; but Somerville was numbered amongst the Scots (who, with one exception, were merely

<sup>10</sup> CDS, ii, nos. 357-8; CFR 1272-1307, p. 256; Stevenson, *Docs*, i, 85-6; CCR 1288-96, p. 81. Douglas was released after making fine with the king for £100; the Exchequer, in its own inexorable fashion, was still levying the arrears from Douglas' confiscated lands in 1308, though they were now in the possession of the Umfravilles (CDS, iii, no. 53; and cf. CFR 1272-1307, p. 289; CDS, ii, no. 1643).

<sup>11</sup> CCR 1296-1302, p. 225.

<sup>12</sup> Young, *The Comyns*, pp. 29, 46-7, 85, 114.

<sup>13</sup> CIPM, iv, no. 364. The Muschamps themselves had had considerable cross-border connections, as this choice of marriage would suggest; Robert granted lands in Northumberland to Melrose Abbey, where he was buried (*Families*, i, 39). For the division of the Muschamp barony of Wooler, see *ibid.*; NCH, xi, 309-11, xiv, 97; I.J. Sanders, *English Baronies. A Study of their Origins and Descent, 1086-1327* (Oxford, 1960), pp. 100-1.

<sup>14</sup> CCR 1288-96, p. 483; *Documents and Records Illustrating the History of Scotland, Preserved in the Treasury*, ed. F. Palgrave (Record Commission, 1837), pp. 305, 309; G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (3rd edn, Edinburgh, 1988), p. 158.

hanged), despite the fact that an inquisition had recorded him as the only one of the sixteen to hold any land in England.<sup>15</sup>

Many Northumbrians were closely linked to Scotland through the liberty of Tynedale, which was held by the King of Scots as a regality for most of the thirteenth century. Within Tynedale, justice was dispensed by his justices, to his profit - although the law they administered remained the Common Law of England, and not that of Scotland.<sup>16</sup> Evidence of the reality of these powers is provided by the records of the eyre held at Wark in Tynedale in November 1279.<sup>17</sup> Although this eyre was held in response to the arrival of Edward I's justices in Newcastle in the preceding January,<sup>18</sup> the justices in Tynedale were *fideles* of King Alexander III - and the proceedings were dated by Alexander's regnal year. The respect which this regality was accorded in Northumberland is demonstrated by the comments of a Newcastle jury before the English justices; the jurors testified that they were unable to make inquiry concerning an alleged robbery, because it had occurred in Tynedale, which they claimed was outside the kingdom of England in the kingdom of Scotland.<sup>19</sup> Nor do Edward's justices appear to have disagreed with them. It is therefore hardly a surprise to find that many landowners within that regality aligned themselves with John Balliol. Of these, the Comyns were by far the most prominent; and as they were so pre-eminent in Scottish politics, and so closely allied with Balliol, the question of national allegiance can hardly have posed much of a dilemma. Richard Siward was

<sup>15</sup> CDS, ii, no. 1811. De Seton qualified as English because he came from Yorkshire (where, of course, the Bruces themselves had held extensive estates). The trial is discussed by J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970), pp. 40-5. It is worth noting that one of the judges, Guichard de Charron, had sizeable estates and interests in Northumberland himself, and would have been familiar with many of those who sided with the Scots.

<sup>16</sup> *Placita de Quo Warranto*, ed. W. Illingworth (Record Commission, 1818), pp. 604-5; Margaret F. Moore, *The Lands of the Scottish Kings in England* (London, 1915), pp. 57-8; Stringer, 'Frontier Society in the Far North', pp. 46-7.

<sup>17</sup> Printed in C.H. Hartshorne, *Feudal and Military Antiquities of Northumberland and the Scottish Borders* (London, 1858), app., pp. ix-lxviii.

<sup>18</sup> *Three Early Assize Rolls of the County of Northumberland*, ed. W. Page, SS lxxxviii (1890), pp. 358-9.

<sup>19</sup> '... facta fuit in Tindale extra regnum Angliæ in regno Scotiæ, de qua terra nulla veritas hic potest inquiri', *ibid.*, p. 365.



himself a Comyn adherent, having married the eldest daughter of John Comyn of Badenoch; a mark of this alignment was his appointment, in 1292, as keeper of the castles of Dumfries, Kirkcudbright and Wigton with a generous fee,<sup>20</sup> and he owned considerable lands in Scotland. Aymer de Rotherford was also a Scottish landowner, albeit on a far smaller scale. Adam de Swinburne seems to have held no lands in Scotland himself, but his father held lands in Ayrshire, whilst Adam had been granted his manor of Simonburn by the Scottish baron Henry de Graham, on his marriage to Idonea, de Graham's sister; the manor was held of Nicholas de Graham, another of her brothers.<sup>21</sup> The Grahams had links with the Comyns, and Swinburne himself may well have been part of the Comyn affinity; they were, after all, his most powerful neighbours.<sup>22</sup> By contrast, John de Shitlington appears to have had no interests outside of Tynedale, but is recorded as one of Balliol's bailiffs for the liberty in 1292/3.<sup>23</sup> These were all men who considered themselves as Scots, or who were drawn to the Scottish camp by ties of kinship or patronage.

There were, however, others in Tynedale who - like John de Shitlington - had prospered through service to the kings of Scots, yet - unlike John de Shitlington - chose to align themselves with Edward. William de Swinburne of West Swinburn enjoyed a prosperous career as a treasurer to Queen Margaret of Scotland. This service earned him various privileges from Henry III, Margaret's father, not the least of which was a grant of 30 librates of land.<sup>24</sup> But his major patron was Alexander III, who employed him as bailiff of Tynedale and of his Cumbrian estates; and it was this

<sup>20</sup> Wyntoun, v, 238, 239. Stevenson, *Docs*, i, 285, 292.

<sup>21</sup> Hodgson, *Northumb.*, II, ii, pp. 232, 250; Moore, *Lands of the Scottish Kings*, pp. 43-4; C. H. Hunter Blair, 'Members of Parliament for Northumberland (October 1258 - January 1327)', *AA*, 4th ser., x (1933), p. 167. There is no reason to doubt that the John de Swinburne who did homage to Edward I in August 1296 for land in Ayrshire (*Ins. pub.*, p. 129) should be identified with the Northumbrian landowner of that name, who was Adam's father.

<sup>22</sup> In this context, it may be significant that the Swinburne's arms appear to have been adapted from those of the Comyns (*Middleton*, p. 84).

<sup>23</sup> *NCH*, xv, 294.

<sup>24</sup> Hodgson, *Northumb.*, III, ii, 20-1; *CDS*, i, nos. 2260, *CPR 1266-72*, p. 259, 260, 345. The most detailed account of Swinburne's career is provided by *Families*, i, 99-100 (see also *NCH*, iv, 254-7; Moore, *Lands of the Scottish Kings*, p. 42-3). It should be noted that the Swinburnes of West Swinburn do not appear to have been related to their namesakes of East Swinburn (*Families*, i, 139).

service which brought William the wealth which established his descendants, the Swinburnes of Capheaton, as one of the major gentry families of Northumberland. William died in 1289; and in 1296, despite the fact that service to the kings of Scots had been the making of the family fortune, his sons, Alexander and Nicholas, remained in the English allegiance. That John de Balliol was unable to retain the loyalty of men such as the sons of William de Swinburne stems from the fact that by 1296, he had put the regality into the grasping hands of Anthony Bek, the empire-building bishop of Durham. Bek had been appointed *custos* of Tynedale after the death of Alexander III, and in February 1290, Edward granted him Wark-in-Tynedale outright (along with Penrith), even while Margaret of Norway was still alive. In November, less than two months after her death, this grant was confirmed by Balliol, who pre-emptively styled himself as 'heres regni Scotie'. Such an optimistic charter could, of course, only be implemented if Balliol did indeed become king. It may well have been intended to buy Bek's support for his cause, a sweetener to overcome the long-standing rancour of the bishops of Durham (a rancour aroused by the Balliol family's equally long-standing contempt for the bishops' claims to temporal authority over the lordship of Barnard Castle). On the other hand, given his territorial ambitions in northern England, Bek himself may have instigated this grant - and the charter's arrogant assertion of Balliol's claim - for John himself does not seem to have been actively canvassing for support at this time.<sup>25</sup> In the event, Balliol's (or Bek's) optimism was not misplaced, and having performed fealty for the English lands held by the kings of Scots, John was given seisin of them in October 1293. In the following June, Bek was duly granted fifty librates of land within Tynedale and the advowson of Simonburn church, a deed for which he was quick to obtain Edward's approval; and in July 1295, as war loomed, he finally obtained the entire manor of Wark.<sup>26</sup> Balliol had thus granted away all of his demesne lands in Tynedale, which amounted to a *de facto* abdication of his authority there. The regality had therefore effectively been removed from the influence of the kings of Scots since

<sup>25</sup> *CPR 1281-92*, p. 346, 386; Stevenson, *Docs*, i, 122, 203-4; C.M. Fraser, *A History of Antony Bek, Bishop of Durham, 1283-1311* (Oxford, 1957), pp. 89-90; *NCH*, vi, 54-5, 62-3; Geoffrey Stell, 'The Balliol Family and the Great Cause of 1291-2', *Essays on the Nobility of Medieval Scotland*, ed. K.J. Stringer (Edinburgh, 1985), p. 151.

<sup>26</sup> *CDS*, ii, 669, 679.

the death of Alexander III (when it had been taken into Edward's hands), and was on the verge of being absorbed into the bishopric of Durham<sup>27</sup> - and in 1296, no-one could have foreseen that within four years, Bek would have fallen from favour and lost his grip on the lordship. At this point, Bek had yet to impose the full rigours of his administration on his new acquisitions (he did not actually gain seisin of Wark until September 1296); and so for those whose only links with Scotland stemmed from Tynedale, there was little incentive to hazard their landed wealth on behalf of a Scottish king who had abandoned his interests in the regality.

Generally, in fact, tenurial links within Northumberland seem to have been of no great significance in determining national allegiance: for instance, despite the longstanding influence of the Balliol family within Northumberland, reflected by the many families in the county who derived their arms from the Balliol *orle*,<sup>28</sup> all bar one of the tenants of John Balliol's own barony of Bywell opted for loyalty to the king of England over loyalty to their erstwhile lord. That exception was Thomas de Soules, who held a third part of the manor of Heugh in Stamfordham. However, he had been granted this land by his eldest brother William, and it was family loyalty which determined his allegiance - as well as the lands that he held in Roxburghshire. The de Soules' had been settled in Scotland as lords of Liddesdale since the reign of David I and were of some prominence in Scottish politics: William (who died *circa* 1292) had been appointed justiciar of Lothian by Alexander III, and had served as sheriff of Roxburgh and of Inverness after Alexander's death; Thomas' elder brother John served Balliol as an envoy to France in 1295, and was appointed as a Guardian of the realm of Scotland after the resignation of William Wallace in 1297. Thomas' Northumbrian estate had come to the family through his father's marriage, and again, he can only have thought of himself as Scottish.<sup>29</sup> Similarly, while John Wishart held his Northumbrian estate of Moneylaws of Robert de Ros, it is hardly sufficient to

<sup>27</sup> These grants were made to Bek in his capacity as bishop, rather than in his own right (Fraser, *Bek*, p. 90).

<sup>28</sup> C. Hunter Blair, 'The Armorial of Northumberland: an Index and Ordinary to 1666', *AA*, 3rd ser., vi (1910), pp. 93, 181-3, pl. 2.

<sup>29</sup> *CDS*, iv, no. 609; *CCR 1318-23*, p. 38-9; *Ins. pub.*, p. 157; T. M'Michael, 'The Feudal Family of de Soulis', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 3rd ser., xxvi (1947-8).

describe his rebellion simply in terms of him following ‘in the footsteps of his overlord’ - for much of his land in Scotland was held of the Umfravilles, who remained staunchly English.<sup>30</sup> Leaving aside his Scottish lands, and any familial fellow-feeling for the militantly ‘patriotic’ Robert Wishart, bishop of Glasgow, John Wishart’s alignment was determined rather by his close links with William Douglas; for he had been party to Douglas’ abduction of Lady Ferrers - a misdeed which earned him the temporary confiscation of his English lands. Also in common with Douglas, he had experienced the aggression of Gilbert de Umfraville, in a dispute over the Roxburghshire manor of Prenderleith in 1292.<sup>31</sup> In fact, in November 1295, through either prescience or good luck, he had demised Moneylaws for a term of seven-and-a-half years, to Ellen de Prenderlath (a relative of his wife’s), in payment of a debt. It was thus the unfortunate Ellen who actually lost by the confiscation of the manor; and it was not until 1305 that she managed to get it back.<sup>32</sup>

There were others who faced rather more of a dilemma in defining their own nationality. Aymer de Rotherford owned land in Roxburghshire; he also held a moiety of Moralee in Tynedale; and in 1292 (or shortly after), he had married Juliana de Middleton (the daughter of Nicholas de Swinburne), a wealthy widow who held the manor of Briardene in Northumberland.<sup>33</sup> Having close ties to both countries, his choice of allegiance cannot have been an easy decision. In the end, he sided with the Scots; but only half-heartedly. His lands were forfeited, in response to Edward I’s writ

<sup>30</sup> *NCH*, xi, 87 (followed by Tuck ‘Northumbrian Society’, pp. 25-6); *Regesta Regum Scottorum V, Robert I, 1306-29*, ed. Archibald A.M. Duncan, Edinburgh (1988), no. 399. Wishart held Moneylaws by right of his wife (*CIPM* iii, no. 52), and was assessed there at £6 for the 1295 lay subsidy (*Lay Sub.*, no. 289); he also held a larger estate in Knaresdale, in Tyndale - but only through the wardship of John Prat, a minor, which he had purchased from the executors of Alexander III (Stevenson, *Docs*, i, 50, ii, 48-9; *CIPM*, iii, no. 611; *CDS*, ii, no. 335).

<sup>31</sup> *CFR 1272-1307*, p. 256, 262; Stevenson, *Docs*, i, 85-6; *CDS*, ii, no. 365; *CCR 1288-96*, p. 81; *Rot. Scot.*, i, 10.

<sup>32</sup> *CDS*, ii, no. 1596; *CIM 1219-1307*, no. 1936; *CCR 1302-7*, p. 257. Wishart had been given £100 for Ellen by Alexander III’s executors, in consideration of her long service to the Maid of Norway; the grant of Moneylaws was supposed to cover this debt.

<sup>33</sup> *CFR 1272-1307*, p. 302; Hodgson, *Northumb.*, III, ii, 349; *NCH*, iv, 276-7; *Middleton*, p. 3. That Briardene was held by Juliana is evident from the fact that it passed to her son (by her first marriage), the notorious Gilbert de Middleton (*NCH*, ix, 112).

of 27 April; and by 17 May, he was serving with Edward's army in Scotland, for he brought a suit at Roxburgh to recover two horses attached by the marshal.<sup>34</sup> Presumably, the collapse of Balliol's cause after Dunbar - and the confiscation of his own lands - served to remind him of his English links.

Robert de Ros held a barony in Dumfries as well as his barony in Northumberland, and thus stood to lose whichever side he choose. But he was evidently a man of decision, for having thrown in his lot with the Scots, he rapidly burnt his boats by leading their forces to the shambolic skirmish at Presson. According to Walter of Guisborough, de Ros' allegiance was determined by his love for a woman 'de genere Scotorum', whom he wished to marry. Walter's chronicle is not generally given to flights of chivalric fancy, and although de Ros was actually already married - to a certain Laura - this account receives corroboration from Sir Thomas Gray's *Scalacronica*. According to Gray, de Ros acted, 'tout pur paramours qil ama Cristiane de Moubray' (all for the love of Christine de Mowbray), though apparently this did him little good, for she 'ne le deigna auoir' (did not deign to take him).<sup>35</sup> On the other hand, the *Lanercost Chronicle* attributes Ros' defection to simple fear for the prosperity of his lands, making no mention of any love interest.<sup>36</sup> Such a fear was entirely rational, for his barony was possibly the most vulnerable estate in England to Scottish attack, being bordered by Scottish lands to the north and the west; and from his castle at Wark on Tweed, de Ros could look to Scotland across the river Tweed. Furthermore, although English chronicles refer to Ros as a 'traitor' (seductor), a man who acted 'contra fidem' (against faith),<sup>37</sup> and 'non obstante fidelitate quam regi Angliæ juraverat' (notwithstanding the fealty he had sworn to the king of England),<sup>38</sup>

<sup>34</sup> Stevenson, *Docs*, ii, 46; 'A Plea Roll of Edward I's Army in Scotland, 1296', ed. C.J. Neville, *Miscellany XI*, Scottish History Society, 5th ser., iii (1990), no. 93).

<sup>35</sup> *Walter of Guisborough*, ed. Rothwell, pp. 271-2; *Scalacronica*, pp. 121-2. Although Gray was writing some fifty years after the event, his account was presumably based on the personal testimony of his father, who was probably living in Northamptonshire at this time, and was old enough to be bearing arms in 1297 (Andy King, 'Sir Thomas Gray's *Scalacronica*. A Medieval Chronicle and its Historical and Literary Context', Unpublished MA Thesis, Durham University (1998), pp. 9-10).

<sup>36</sup> *Lanercost*, pp. 172-3.

<sup>37</sup> *Ibid*, p. 172.

<sup>38</sup> *Nicholai Trivetii Annales*, ed. Thomas Hog, English Historical Society (1845), p. 342 (a passage

he came from a family which had long-standing and extensive Scottish interests and connections. He was a great-great grandson of William, king of Scots. More recently, in 1251, his grandfather had been appointed to look after Henry III's daughter, during the minority of her husband, Alexander III, and had got himself embroiled in the factional squabbling which ensued - much to Henry's displeasure (so much so that in 1255, he confiscated Wark). Robert himself was a trustee for a family settlement made by the Comyns, regarding their Tynedale lands.<sup>39</sup> While chivalric convention held that a knight should indeed be motivated by the love of a woman, it was more probably these connections which lay behind his actions in 1296.<sup>40</sup> Indeed, as the Mowbrays were important Scottish barons, and allied to the Comyns, his marital ambitions may have been a consequence of his choice of allegiance rather than a cause.<sup>41</sup>

Several Northumbrian landholders with major Scottish interests did remain loyal to Edward I, notably, William de Vesci, lord of Alnwick and Sprouston, Roxburghshire, and Gilbert de Umfraville, earl of Angus and lord of Prudhoe and Redesdale. The Vesci family had considerable links with Scotland; William was a competitor for the Scottish crown in 1291 on the grounds of his descent from a daughter of William the Lion (whose illegitimacy William neglected to mention in his petition); and in 1215, William's grandfather had been instrumental in bringing Northumberland into the allegiance of Alexander II.<sup>42</sup> Since then, William's elder

which also occurs *verbatim* in *William Rishanger, Cronica et Annales*, ed. H.T. Riley, RS xxviii (1865), pp. 155-6). Trevet makes no mention of Ros' alleged Scottish lover; indeed, he offers no explanation at all for de Ros' 'desertion' beyond straightforward bad faith.

<sup>39</sup> 'Iter of Wark', Hartshorne, *Feudal and Military Antiquities*, app., p. xiii; Duncan, *Scotland. The Making of the Kingdom*, pp. 563-6, 575-6; Alan Young, *Robert the Bruce's Rivals. The Comyns, 1212-1314* (East Linton, 1997), pp. 53-6 (it should be noted that Young errs in describing Ros as lord of Wark, Helmsley and Sanquhar - p. 53; Helmsley was held by Ros' elder brother William).

<sup>40</sup> Tuck, 'Northern Nobility', p. 6 (Tuck here conflates two separate Robert de Ros'; the Robert who defected in 1297 was actually the grandson of the Robert who was active during Alexander's minority (*Families*, i, 228-9)).

<sup>41</sup> It is not impossible that his wife, Laura, had died, and that his hoped for marriage was a straightforward political match.

<sup>42</sup> *Edward I and the Throne of Scotland, 1290-96*, ed. E.L.G. Stones & Grant G. Simpson (2 vols, Oxford, 1978), ii, 134; Holt, *The Northerners*, p. 131-2. The links of the Vesci family with Scotland are discussed by Keith J. Stringer, 'Nobility and Identity in Medieval Britain and Ireland: The Vescy

brother, John, had been one of leaders of the army which Alexander III sent to Man in 1275.<sup>43</sup> But the Vesci family had extensive interests elsewhere in England, Wales and Ireland; and by 1296, these were in a decidedly precarious situation, for William's only legitimate son had died the year before, leaving him without lawful heirs. William did have a surviving bastard, William of Kildare, and he did his best to provide for him by setting up an entail on his Yorkshire and Lincolnshire estates with remainder to Kildare and his heirs, through the agency of Anthony Bek.<sup>44</sup> But, of course, this arrangement could survive only as long as Vesci's loyalty to Edward I.

As for the Umfravilles, they had held their Northumbrian lands since the end of the eleventh century (indeed, they claimed to have been granted them by William I in 1077); and while they had long had close links with the Scottish court, Gilbert de Umfraville acquired his Scottish earldom, by marriage, only in 1243-4 - just a couple of years before his death. The wardship of his infant son (and namesake) was acquired by Simon de Montfort; and the young Gilbert is unlikely to have seen anything of his Scottish estates before his majority - and precious little of his Northumbrian lands, for that matter.<sup>45</sup> He did play a part in Scottish politics; in 1284, for instance, he was one of the magnates who swore to accept Margaret, daughter of King Eric of Norway, as heiress to Alexander III. However, he was equally prominent in English affairs, serving Edward in Wales and Gascony, and being summoned to parliament.<sup>46</sup> Certainly, the Northumbrians seem to have regarded the Umfravilles as a thoroughly

Family, c. 1120-1314', *Britain and Ireland, 900-1300. Insular Responses to Medieval European Change*, ed. Brendan Smith (Cambridge, 1999).

<sup>43</sup> *Lanercost*, p. 98; 'Continuation by a Monk of Furness', *Chronicles of the Reign of Stephen, Henry II and Richard I*, ed. R. Howlett, RS lxxxii, vol. ii (1885), 570; A.A.M. Duncan, *Scotland. The Making of the Kingdom* (2nd edn, Edinburgh, 1978), p. 582. Another of the leaders of this expedition was John Comyn of Badenoch, another cross-border landholder (see Appendix 2, below).

<sup>44</sup> J.M.W. Bean, 'The Percies' Acquisition of Alnwick', *AA*, 4th ser., xxxii (1954), p. 310; Fraser, *Anthony Bek*, p. 108; Stringer, 'The Vescy Family', pp. 232-9.

<sup>45</sup> Lawrence Keen, 'The Umfravilles, the Castle and the Barony of Prudhoe, Northumberland', *Anglo-Norman Studies* v (1983), pp. 170-3; *Families*, i, 208-12; *NCH*, xii, 79ff. The circumstances of de Montfort's acquisition of the wardship of Umfraville are discussed by J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 54-5, 122-3.

<sup>46</sup> *Fædera*, I, ii, 638; *NCH*, xii, 96. Intriguingly, he was sometimes summoned to Edward's parliaments as earl of Angus, despite it being a Scottish title.

Northumbrian family, for writing some sixty years later, Thomas Gray commented that Patrick, earl of March, ‘soul estoit demurez de touz ses seignours Descoce al obeisaunce le roy Dengleterre’ (alone of all the lords of Scotland had remained in fealty to the king of England); evidently, Gray did not think of the Umfravilles as Scottish lords, even though he consistently refers to them by their Scottish title.<sup>47</sup>

Despite Thomas Gray’s commendation, it would appear that earl Patrick was, in fact, somewhat equivocal in 1296, sitting on the fence until the last minute; by the time that he had declared his homage and fealty to Edward at Wark castle on 25 April (along with Gilbert de Umfraville and two of the Bruces), the sheriff of Northumberland had already taken the trouble to confiscate his lands.<sup>48</sup> There was obviously some lingering doubt over his loyalty, for he did not get his lands back until the end of the year. Nevertheless, by September, the king had obviously decided that he was trustworthy, as he ordered that the forfeited lands of his tenants be delivered to him.<sup>49</sup> Whilst the bulk of the earl’s estates lay in Scotland, and he had staked a claim to the Scottish kingship in 1291, his family was of impeccably Northumbrian origin, being descended from the Anglian earls of Northumbria, enjoying comital status long before Malcolm Canmore granted them Dunbar.<sup>50</sup> However, it was the legacy of Alexander III’s minority which brought the earl of March into the English allegiance, for his father had been the leader of the faction which ousted the Comyn-led council in the *coup* of 1255.<sup>51</sup> Certainly, March had subsequently been married to a daughter of Alexander Comyn, earl of Buchan; but the marriage evidently failed to build

<sup>47</sup> *Scalacronica*, p. 122. Of course, Gray was writing at a time when sixty years of warfare had hardened the demarcation lines of nationality, and when the Umfravilles had permanently lost their Scottish lands.

<sup>48</sup> *Anglo-Scottish Relations, 1174-1328. Some Selected Documents*, ed. E.L.G. Stones (Oxford, 1970), pp. 136-9; *CCR 1296-1302*, p. 9. According to Peter de Langtoft, he came ‘a la pees le roys’ (to the king’s peace) only after the capture of Berwick (*Pierre de Langtoft, le règne d’Edouard I<sup>er</sup>*, ed. J.C. Thiolier (Créteil, 1989), p. 303). Although the declaration of homage provides a more dependable date for Dunbar’s adherence to the English cause, Langtoft’s statement suggests that he was widely perceived as being slow to reach that decision.

<sup>49</sup> *Ibid.*; *CDS*, ii, no. 853 (p. 224).

<sup>50</sup> David Crouch, *The Image of Aristocracy in Britain, 1100-1400* (London, 1992), p. 59.

<sup>51</sup> Duncan, *Scotland*, pp. 565-8; D.E.R. Watt, ‘The Minority of Alexander III of Scotland’, *TRHS*, 5th ser., xxi (1971), p. 13.



bridges between the two families, for as her husband swore homage to Edward I at Wark, the countess was busy arranging to deliver his castle at Dunbar to a Scottish government that was dominated by her brother.<sup>52</sup>

Earl Patrick was not alone in facing conflict within his own family. As should be expected, if the Anglo-Scottish war was indeed something of a civil war, members of the same families sometimes found themselves on opposing sides. While the Umfravilles sided with Edward I, Ingram de Umfraville, the younger Gilbert's cousin, took the part of the Scots.<sup>53</sup> As the youngest of four brothers, of a collateral branch of the family, he had few prospects in England, and so made a career for himself in Scotland, that 'land for younger sons'.<sup>54</sup> There, he gained an estate in Ayrshire and a royal pension of 20 merks; and so prominent did he become in Scottish affairs that in 1279, both Alexander III and his son lobbied Edward I on Ingram's behalf, concerning the lands of his recently deceased father.<sup>55</sup> Ironically, however, it was his Northumbrian connections which ensured his adherence to the Scots in 1296, for he was married to the daughter and heir of Ingram de Balliol - an uncle of King John, his neighbour in Northumberland. This connection led to his employment as an envoy to Philip IV of France in 1295, along with John de Soules; and amidst the in-fighting which characterised Scottish politics after the ignominious departure of Balliol, it brought him into the Comyn camp, and to his appointment as a Guardian in May 1300, in place of Robert Bruce.<sup>56</sup> He remained resolutely opposed to Edward I, coming to his peace only in October 1305; however, the killing of John Comyn brought him back into the English allegiance, and according to John Barbour, it was by Umfraville's advice that Aymer de Valence defeated Bruce at Methven.

<sup>52</sup> *Guisborough*, ed. Rothwell, pp. 277-8; Young, *The Comyns, 1212-1314*, p. 157.

<sup>53</sup> *NCH*, xii, 100.

<sup>54</sup> The phrase is Barrow's, the title of the first chapter of *The Anglo-Norman Era in Scottish History*. Ingram's career is outlined in Hodgson, *Northumb.*, II, i, 31-4; C.H. Hunter Blair, 'Baronys [*sic.*] and Knights of Northumberland, 1166-c.1266', *AA*, 4th ser., xxx (1952), pp. 53-4.

<sup>55</sup> *Ins. pub.*, p. 126; Stevenson, *Docs*, i, 40, 45; *CDS*, ii, nos. 155, 156 (full text printed in *Lanercost*, pp. 473-4), 325, 328.

<sup>56</sup> *Lanercost*, p. 161; Norman Reid, 'The Kingless Kingdom: The Scottish Guardianships of 1286-1306', *Scottish Historical Review* lxi (1982), p. 111; Young, *The Comyns*, p. 171.

Revealingly, the *Lanercost Chronicle*, a work of local provenance, counted him amongst Valence's Scottish knights, despite his English origins.<sup>57</sup>

Other families were more permanently split. Both Aymer and Nicholas de Rotherford held lands in England and Scotland, and both initially took the part of John Balliol. But Aymer was back in Edward's allegiance in little more than a month, and remained in it thereafter; Nicholas, on the other hand, was still being described as the king's enemy in 1300, and appears never to have come to his peace. He clearly thought of himself as Scottish, for his granddaughters described him as a 'chivaler Descose', when petitioning for the restoration of his Northumbrian estate in 1306.<sup>58</sup> There is also the elusive 'Schyr Wilyam the Boroundoun', the 'bauld baroun' who, as Barbour has it, was one of the select company of 500 who stayed with Robert Bruce after his defeat at Methven. A Sir William de Burudun witnessed a Scottish charter in favour of Melrose Abbey in the 1260s or 1270s, but seems to have left no other record.<sup>59</sup> Whoever he was, it seems likely that this William was related to Sir Walter de Burghdon who held the vill of Burradon in Northumberland, as well as land in Roxburgh; but unlike William, Walter remained in Edward's fealty, and was serving as sheriff of Perth on Edward's behalf in 1296.<sup>60</sup> Rather better documented are the Grays; Thomas de Gray adhered to the English, thereby benefiting from the rebellion of his uncle Robert, whose lands he gained.<sup>61</sup> Again, however, the most dramatic example is provided by the de Ros family. In his vivid account of the affair, Walter of

<sup>57</sup> *CCR 1302-7*, pp. 290, 291; Barbour, II, ll. 247-301; *Lanercost*, p. 204; Young, *The Comyns*, p. 200. Umfraville subsequently went back over to Bruce following his capture at Bannockburn - albeit half-heartedly (Michael Penman, 'A Fell Coniuracioun agayn Robert the Douchty King: The Soules Conspiracy of 1318-20', *The Innes Review* I (1999), 34, 50-2).

<sup>58</sup> *CPR 1292-1301*, p. 532-3; *CDS*, ii, no. 1879. And see below, pp. 21-2.

<sup>59</sup> Barbour, II, ll. 481-2; Barrow, 'Lothian in the First War of Independence', pp. 164-5. Barrow suggests that he was the father of Barbour's William, but there is no obvious reason why he should not have been the same man.

<sup>60</sup> *Lay Sub.*, no. 403; *Ins. pub.*, p. 127; *CDS*, ii, no. 1027 (p. 264). A.A.M. Duncan has suggested that 'Schyr Wylam' is an error for Sir Walter de Burghdon himself, and that he was with Bruce as a prisoner (*The Bruce*, ed. A.A.M. Duncan (Edinburgh, 1997), p. 104). However, given his desperate situation, Bruce is unlikely to have encumbered himself by dragging around an unwilling captive.

<sup>61</sup> Andy King, 'Englishmen, Scots and Marchers: National and Local Identities in Thomas Gray's *Scalacronica*', *Northern History* xxxvi (2000), pp. 218-19.

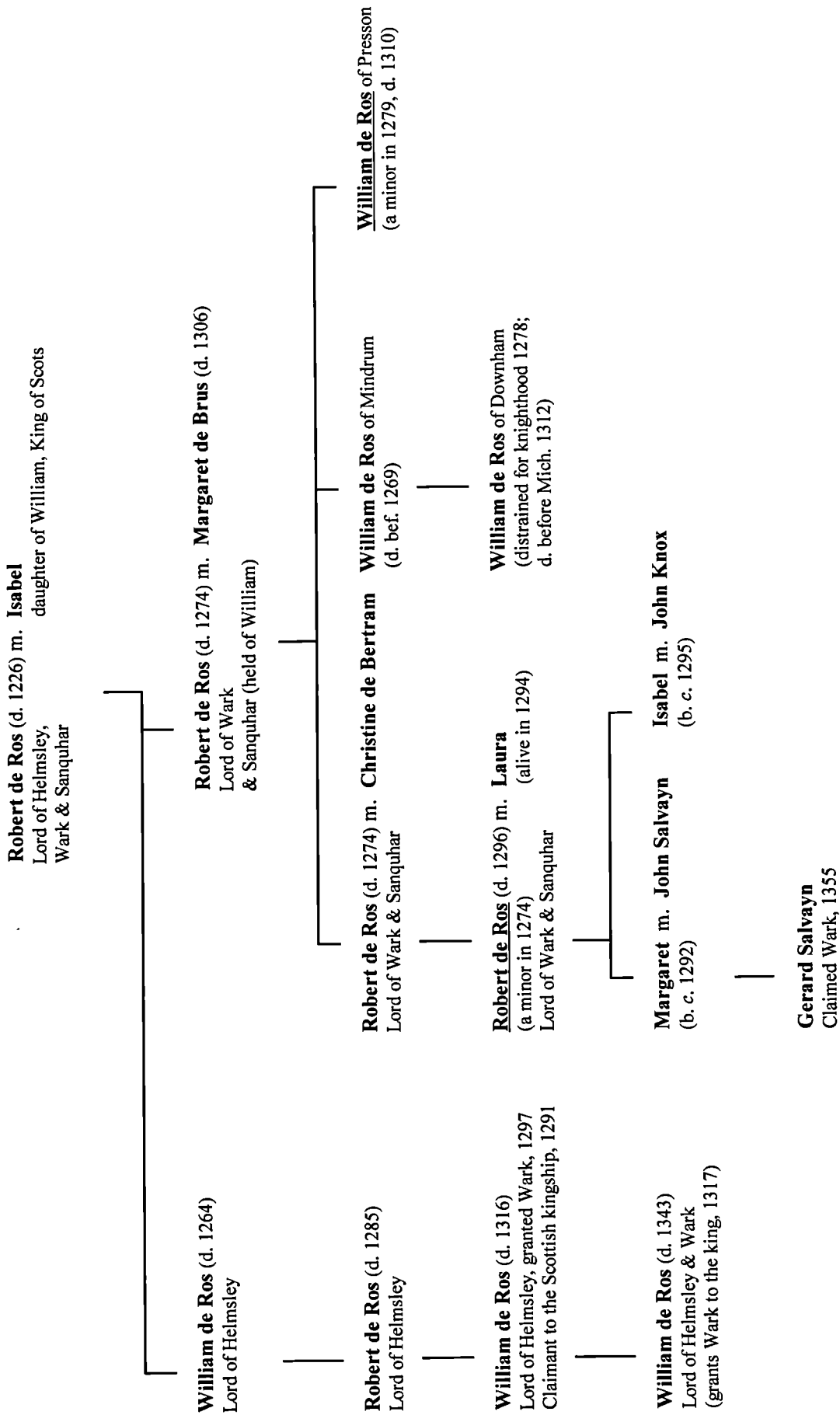
Guisborough records that when Robert de Ros had decided to throw in his lot with the Scots, he tried to persuade his uncle William to join with him. But William told him not to be so stupid, adding (with suspicious prescience) that such a move would be the death of him, and would sully their good name. Robert fled; and William duly informed king Edward of his intended treachery, precipitating the battle at Presson. Assuming that this reported conversation was not just a literary conceit of Guisborough's, the obvious source is William de Ros himself; and if so, we may assume that he took the trouble to paint a favourable picture of himself. In fact, as a later petition reveals, his motives in revealing Robert's treachery had less to do with a concern for his family's good name, and rather more to do with the expectation of gaining from Robert's forfeiture. Evidently, he went to some lengths to ensure that his loyalty to Edward I was conspicuous (he managed to attract the attention of Guisborough and Trevet at least); and he apparently obtained a promise of reward from the king. He also seems to have succeeded in passing himself off as Robert's brother, presumably on the off-chance of being accepted as his heir.<sup>62</sup>

Obviously, given the number of cross-border marriages, there were many who found themselves on opposing sides to their in-laws, however, with the few exceptions above, comparatively few ended up at war with immediate relatives. Family loyalty was more often a determinant of national allegiance than a victim of it. Nor do any families appear to have adopted the strategy of deliberately dividing their allegiance, to ensure that lands would remain within the family whichever side won.<sup>63</sup> It is equally true that there are comparatively few clear-cut cases of Scots attacking their erstwhile neighbours within Northumberland. Nicholas Trevet reported that the Scottish army which attacked Carlisle in March 1296 included 'Joannes filius Joannis

<sup>62</sup> *Guisborough*, ed. Rothwell, p. 271; *Triveti Annales*, ed. Hog, p. 342. Guisborough actually describes William as Robert's *frater*, while Trevet refers to him as Robert's *germanus*; William subsequently described himself as Robert's *frere* in a petition for some of his mother's lands (C 47/22/4/57, calendared in *CDS*, iv, no. 1835). However, in this same petition, he names his mother as Margaret, whereas Robert's mother was Christine de Bertram; Robert's grandmother was Margaret de Bruce, which suggests that William was actually Robert's uncle (*NCH*, xi, 37; and see Figure 1).

<sup>63</sup> Even if attempted, such Machiavellian schemes could not be relied on; forfeited lands in England went directly to the king, and there was no guarantee that he would re-grant them to other members of the same family - as William de Ros discovered to his cost.

Figure 1: The de Ros Family



Note: This genealogy has been considerably simplified by the omission of extraneous offspring (including several additional Roberts and Williams). The Robert and William in contention in 1296 have been underlined.

Comin de Badenau'; however, its depredations seem to have been restricted to Cumberland.<sup>64</sup> An inquisition at Newcastle in 1300 recorded that Henry de Haliburton, and Agnes his wife, had 'burned churches and killed men in England when the king's Scottish enemies laid waste the county'.<sup>65</sup> At this time, Henry and Agnes were still with the king's Scottish enemies and their lands were forfeit, with no immediate prospect of them being restored. None of the jurors had any good reason to exaggerate their misdeeds, and Henry may well helped his fellow Scots to ravage Northumberland (though we may doubt whether his wife was truly so militant in the Scottish cause). Other reports are rather more loaded. For example, accusations were made that Aymer de Hawden and Mary, the widow of William de Maleville, 'arderent, destruierent, preirent e octirent les genz' in the bishop of Durham's liberty of Norham, where they themselves held tenements. However, the accusations were made some seven years latter, as the bailiffs of Norham attempted to justify their tardiness in implementing a royal writ which ordered the restoration of their lands. Again, the bailiffs rather spoiled their case by trying to imply that Mary was personally involved in ravaging Norhamshire, casting her in the unlikely role of a medieval Boadicea; but they were probably alluding to William Wallace's raid of 1297, at which time, her husband was still alive - and he is unlikely to have delegated his wife to burn, ravage and murder in his stead.<sup>66</sup>

More tendentious still was the accusation that Adam de Swinburne 'rode with [the Scots] with banners displayed, plundering and burning in [Northumberland and Cumberland], especially the priory of Hexham'. This was dredged up in 1358, when Adam was long dead, as part of the campaign of retrospective forfeitures orchestrated by John de Coupland, in collaboration with the escheator, William de Nessfield.<sup>67</sup> However, in 1296, the sheriff of Cumberland had reported that Swinburne 'was at the king's peace almost until Pentecost [13 May]', whereas Hexham was burned on 11

<sup>64</sup> *Triveti Annales*, ed. Hog, pp. 342-3.

<sup>65</sup> *CDS*, ii, no. 1131.

<sup>66</sup> *Northumb. Pets*, pp. 22-3. William died in 1298 (*CDS*, ii, no. 1436). For the date of the raid on Norhamshire, see Barrow, *Robert Bruce*, p. 93 (who accepts the personal involvement of Mary de Maleville).

<sup>67</sup> *CDS*, iv, no. 2; *Middleton*, pp. 81-2. For the nefarious activities of Coupland and Nessfield, see below, pp. 154-64.

April.<sup>68</sup> If Swinburne's supposed involvement in this outrage was not known to the sheriff of Cumberland in 1296, it is unlikely to have been known to de Nessfield some sixty years later. With its reference to 'banners displayed', de Nessfield's accusation was obviously framed to fit with the contemporary legal definition of treason.<sup>69</sup> The devastation of Hexham priory was one of the more notorious act of destruction perpetrated by the Scots in Northumberland during the reign of Edward I - repairs to the priory church were not finished until the middle of the fourteenth century - and as Swinburne's lands lay near Hexham, this was an outrage to which his name could plausibly be attached, to emphasise the wickedness of his treachery.<sup>70</sup>

Thus, apart from Robert de Ros leading the Scots to victory at Presson, there is little evidence that many of those who held Northumbrian lands were personally involved in Scottish raids into England. Furthermore, many were quick to return to Edward's peace. In 1305, an inquest in Cumberland recorded that Thomas de Morralee had been admitted to the king's peace 'immediately after the first Scottish war', and had died in his fealty; his son, it was said, 'was always in the king's peace'. De Moralee may well have been influenced by the vacillations of Aymer de Rotherford, for the two shared the ownership of the vill of Moralee in Tynedale. William de Maleville's rebellion was equally shortlived, for he is said to have been at the king's peace when he died in February 1298.<sup>71</sup> Perhaps for these reasons, those who returned to the king's peace do not seem to have faced any lasting rancour, and were usually able to reintegrate themselves into Northumbrian society - except, inevitably, where lands had been regranted in the meanwhile. The outstanding

<sup>68</sup> CDS, ii, no. 736, p. 172; *Middleton*, pp. 83-4. Middleton suggests that 'Sir Adam was always loyal' to Edward; and that he retired into Scotland merely out of prudence, to avoid arrest due to his association with the Comyns (*ibid.*, p. 85). However, this reads rather too much like special pleading, for Swinburne's father wielded influence enough to prevent the arrest of his son on the grounds of guilt by mere association. Nor is there any evidence that the king's bailiff in Tynedale ever acted in such an arbitrary fashion; and while Bek's bailiffs were rather more high-handed, the bishop did not gain seisin of the regality until September (CCR 1288-96, p. 491).

<sup>69</sup> Cf. Maurice Keen, 'Treason Trials under the Law of Arms', in *idem*, *Nobles, Knights and Men at Arms in the Middle Ages* (London, 1996), p. 157-60.

<sup>70</sup> A lurid atrocity story had it that a group of schoolboys were burnt to death there by the Scots (*Lanercost*, p. 174; Barrow, *Robert Bruce*, p. 340, n. 8).

<sup>71</sup> CIPM, iv, no. 278; CDS, ii, no. 1436.

example is Adam de Swinburne, who went on to become sheriff, and to represent the county in parliament, as well as being able to procure prestigious marriages for his two eldest daughters, to Sir John de Widdrington and Sir Roger Heron respectively.<sup>72</sup> Indeed, he managed to work his way back into the king's favour with startling rapidity: by Michaelmas 1298, he had, ironically enough, been granted the lands of another rebel, Sir John Montgomery; by April 1312, he had been admitted as a knight of the king's household.<sup>73</sup> On a less exalted scale is Robert de Cresswell, who was active enough in the Scottish cause to be imprisoned in Harlech castle, and whose lands were restored only in May 1304. Yet within four years, he was present at Bothal church, at the christening of the son and heir of his lord, Robert de Bertram; and shortly after, he married the daughter of John de Dudden, a man who represented Northumberland in at least three parliaments between 1306 and 1309, and was active in county affairs.<sup>74</sup> Nevertheless, a quick return to Edward's peace did not guarantee an equally quick restoration of lands; Thomas de Moralee's Cumbrian estates were still in the king's hands long after his death.

Edward does not, in fact, seem to have had a coherent policy for dealing with repentant rebels. He generally allowed forfeited lands to escheat to their feudal overlord, which nevertheless entailed a considerable redistribution of lands - followed by the inevitable disputes when rebels returned to his peace and tried to get their lands back. This gave rise to a profusion of claims and counter-claims, providing gainful employment for generations of lawyers. Robert de Ros' forfeited barony of Wark was handed over to William de Ros of Helmsley.<sup>75</sup> At the time, this was described as an

<sup>72</sup> *CIPM*, vi, no. 751; and see Figure 2 below. From the ages of the eldest sons of the two daughters, the marriages can be dated to 1302 and 1304 at the latest.

<sup>73</sup> *CDS*, iii, no. 1183 (Montgomery held land in Lanarkshire - *Ins. pub.*, p. 131); BL, MS Cotton Nero C.VIII, f. 91.

<sup>74</sup> *CCR 1288-96*, p. 482; *CCR 1302-7*, p. 130; 'Proofs of Age of Heirs of Estates in Northumberland', ed. J. Crawford Hodgson, *AA*, 3rd ser., iii (1907), p. 299 (a Robert de Cresswell who claimed to be 50 in 1328; allowing for the customary vagueness of medieval people about their age, this makes him just old enough to be the same Robert who forfeited land in 1296). Hebron was part of the barony of Bothal, of which Robert de Bertram was lord (Blair, 'Baronys and Knights', p. 15); for Dudden's career, see Blair, 'MPs for Northumberland (1258-1327)', pp. 161-2.

<sup>75</sup> See Figure 1, above.

act of 'special grace' on the part of the king, who wished to reward him for his service in Gascony. There was some confusion as to whether Wark had actually escheated to the king in the first place, or to William (as a mesne lordship of the barony of Helmsley), leaving William concerned about the legality of his title. Eventually, the chancellor was ordered to discuss the matter in council, and to give him an appropriate legal title.<sup>76</sup> Nevertheless, his title remained under threat, for Robert de Ros' two daughters (and their husbands) made every effort to regain their father's estate, on the grounds that they were implicitly covered by the terms offered to the followers of John Comyn in 1304, which included the restoration of forfeited estates. By 1310, they had managed to persuade Edward II that they had a case, and he eventually ordered Robert's lands to be partitioned between the coheiresses; but when the sub-escheator attempted to implement this decision in 1313, he was scared off by William's bailiffs; and although a second attempt was made in the following year, William remained in seisin.<sup>77</sup> However, with the threat of dispossession hanging over it, Wark was simply more trouble than it was worth, particularly given its vulnerability to Scottish attack; and in 1317, after William's death, his son handed the estate in its entirety to the crown, in exchange for an annuity of 300 marks in lieu of land elsewhere. Nevertheless, Robert's descendants proved very persistent: they were still trying to regain Wark as late as 1355.<sup>78</sup>

Nor were the daughters of Robert de Ros the only ones who were unable to recover their inheritances; indeed, it was precisely these cases which seem to have been most difficult to resolve: where a landowner had died whilst still a rebel, but his heirs returned to the king's peace. Eva and Margery de Rotherford, the heirs of their grandfather Sir Nicholas, petitioned for his forfeited Northumbrian tenements in 1306. However, these had already been granted to Ralph fitz William, who had demised these tenements to Nicholas in the first place, before the war. Although Edward I appears eventually to have granted Eva and Margery's petition, they were unable to

<sup>76</sup> *CPR 1291-1301*, p. 231; *CDS*, ii, no. 1335; *NCH*, xi, 35-8; *Families*, i, 229. Evidently, it was decided that Wark had escheated to the king, for in 1301, William was given a royal charter confirming the grant (*Calendar of Charter Rolls 1300-26*, p. 23).

<sup>77</sup> *Rot. Parl.*, i, 183-4; *CCW 1244-1326*, pp. 321, 346, 370; *CIPM*, v, no. 396; *CCR 1313-18*, p. 40. The elder William de Ros died in 1310.

<sup>78</sup> *CCR 1354-60*, pp. 168-78.



gain seisin - for fitz William had given the land to his son Ralph, who subsequently served in Scotland under Edward II; and the latter was unwilling 'that hardship should be done to him'. Rotherford's grand-daughters had still not recovered his lands by 1312, and it seems unlikely that they ever did.<sup>79</sup> Conversely, where rebels did manage to get their lands back, Edward was left with the problem of compensating those who had loyally held these lands in the meanwhile. In 1296, Nicholas de Graham forfeited his wife's moiety of the barony of Wooler; and in 1300, these lands were granted to Isabella, the widow of John de Vesci, for her service to Queen Eleanor. But de Graham was restored to his lands in 1304, leaving Isabella empty-handed; and it is possible that Edward's controversial grant of the custody of Bamburgh castle, made to her in November of that year, was intended to compensate her for this loss.<sup>80</sup>

Anthony Bek was, typically, rather less scrupulous than Edward in his attitude to the confiscated lands put into his care, and he appears to have regarded them purely as a source of patronage, to be doled out to reward his followers - with predictable consequences when the original owners returned to the king's peace. The Norhamshire lands of Aymer de Hawden and William de Maleville were granted out to John fitz Marmaduke, Sir Hugh de Paunton and 'autres de ses ministres pur lour service'. In 1304, Edward repeatedly ordered these lands to be restored; but the bailiffs of Norhamshire were reluctant to carry these orders out, pleading that they dare not disseise fitz Marmaduke *et al* in the absence of the bishop.<sup>81</sup> Agnes de Blamyr experienced similar difficulties in recovering her dower lands in Norhamshire; likewise, Nicholas de Graham in obtaining the lands his wife held of St Cuthbert.<sup>82</sup>

<sup>79</sup> *CDS*, ii, nos. 1043, 1879; *CPR 1292-1301*, p. 532-3; *CCW 1244-1306*, p. 371; *CIM 1307-49*, no. 126.

<sup>80</sup> *CPR 1292-1301*, pp. 513, 577. The grant of Bamburgh is discussed by Michael Prestwich, 'Isabella de Vescy and the Custody of Bamburgh Castle', *Bulletin of the Institute of Historical Research* xlv (1971).

<sup>81</sup> *Northumb. Pets*, pp. 22-3; *CCR 1302-7*, p. 129; *CCW 1244-1326*, pp. 219, 232. Bek was then at Rome, relentlessly pursuing his vendetta against Durham Priory (Fraser, *Anthony Bek*, p. 189); given his customary manner with those who infringed the rights of his bishopric, the apprehension of his bailiffs was perhaps not ill-founded.

<sup>82</sup> *CDS*, ii, no. 1481; *CCR 1302-7*, pp. 130, 138; *CCW 1244-1326*, pp. 224, 233. De Graham's wife had inherited the manor of Ross, near Belford, held of the bishop of Durham (*CIPM*, ii, no. 823). There appears to be no record of any writ concerning the lands granted to Isabella de Vesci, but de Graham

The luckless de Graham encountered further problems with the vill of Hassington, Berwickshire, which he held of Patrick earl of March; having allegedly repossessed it on his own initiative at the beginning of the war, the earl leased it out to Sir William de Durham, and refused to return it. In petitioning Edward for remedy, de Graham expressed concern that the earl's influence might prevent him from getting seisin; and these concerns were fully justified, for after his death, Dunbar was able to persuade his widow to 'loan' (*prestare*) the property to him. It is hardly surprising that Dunbar, who had risked a great deal by choosing the English allegiance, should resent the fact that a long-standing rebel was being allowed to recover his estates without incurring any penalty.<sup>83</sup>

The squabbles that could arise from the restoration of forfeited lands are well exemplified by the controversy that surrounded the de Ros lands in Tynedale: the manors of Plenmellor and Bellister, worth some £40 a year. In 1305, Margaret, Robert de Ros' grandmother, complained that she had held these lands in dower for eighteen years until the bishop had confiscated them (presumably on the grounds of de Ros' adherence to John Balliol), and granted them to Brian fitz Alan, a Yorkshire baron and confidant of the bishop.<sup>84</sup> It is a measure of the power and influence wielded by Anthony Bek that Margaret was unable even to attempt to obtain remedy until he had

had certainly regained seisin of these by 1306, when he died (*CIPM*, iv, no. 364; *CCR 1302-7*, pp. 392, 402).

<sup>83</sup> *CDS*, iv, no. 1804; *Regesta Regum Scottorum V*, ed. Duncan, no. 444; *Registrum Magni Sigilli Regum Scotorum*, ed. J.M. Thomson (11 vols, Edinburgh, 1882-1914) i, 455; Fiona Watson, *Under the Hammer: Edward I and Scotland, 1296-1306* (East Linton, 1998), p. 202.

<sup>84</sup> *Memoranda de Parlamento*, ed. F.W. Maitland, RS xcvi (1893), p. 25 (this is clearly the petition calendered in *CDS*, ii, no. 1339, which Bain left undated). Enormous confusion surrounds the pedigree of the de Ros' (compare *NCH*, xi, 37; *Families*, i, 225; Sanders, *English Baronies*, p. 149), for Robert de Ros of Wark, who died in 1274, was succeeded by his son, Robert de Ros, who seems to have died in the same year, to be succeeded by his own son, yet another Robert de Ros (*CIPM*, ii, nos. 70, 145; *NCH*, xi, 34n). It was this latter who defected in 1296 (see Figure 1, above). This confusion is compounded by a proliferation of collateral lines, and a seemingly pathological aversion to forenames other than Robert or William. However, it is apparent (from a comparison of *CIPM*, ii, nos. 70 and 145) that Margaret was the grandmother of the Robert who defected in 1296 - and not his mother, as a Northumberland jury seemed to believe in 1312 (*CIPM*, v, no. 396). For Brian fitz Alan, see Fraser, *Anthony Bek*, p. 105 & *passim*.

fallen from Edward's favour; but fitz Alan also served Edward in Scotland,<sup>85</sup> and there is no evidence that she actually managed to get her lands back. However, a year later, both fitz Alan and Margaret were dead, and with Tynedale in the king's hand, Edward received petitions for the manors from William de Ros of Presson, mendaciously claiming to be Robert's brother, who reminded Edward that he had promised him a reward for his efforts in saving Wark castle when Robert had gone over to the Scots; from Robert's daughters, claiming that the manors were of Robert's heritage, and that they were entitled to them 'under the peace with Sir John Comyn and his adherents'; and from one Robert de Bures. It is ironic to note that de Bures made his request on the grounds that an earlier royal grant of lands in Scotland had been nullified 'by the peace made with John Comyn'; and in exchange for the Tynedale manors, he offered to return a royal charter promising him 100 marks of land. This proffer was accepted and de Bures was granted the manors in 1307.<sup>86</sup> Again, Edward II proved more sympathetic to Robert de Ros' daughters and granted them the manors; again, the escheator met with violent resistance, and was unable to carry out the king's orders; and again, the ownership of the manors was still being contested some forty years later.<sup>87</sup>

Many of those who adhered to the Scots in 1296 had played little part in Northumbrian affairs, either because their landed estates within the county were of no

<sup>85</sup> C. H. Hunter Blair, 'The Wardens and Deputy Wardens of the Marches of England towards Scotland, in Northumberland', *AA*, 4th ser., xxviii (1950), p. 35.

<sup>86</sup> C 47/22/4/57 (calendared in *CDS*, iv, no. 1835); *CPR 1301-7*, p. 515; Moore, *Lands of the Scottish Kings*, pp. 46-7. De Bures had been granted the Scottish lands of Hugh Lovel (*Documents and Records*, ed. Palgrave, p. 306), but this grant post-dates the settlement of 1304 by a good two years; was he trying to pull the wool over the king's eyes? Certainly, the restoration to Comyn's adherents in Scotland of lands which had been granted out to Englishmen proved to be a cause of great contention, hampering the maintenace of the 1304 settlement (Watson, *Under the Hammer*, pp. 202-5; Michael Prestwich, 'Colonial Scotland: the English in Scotland under Edward I', *Scotland and England 1286-1815*, ed. Roger A. Mason (Edinburgh, 1986), p. 10).

<sup>87</sup> *CIPM*, v, no. 396. The fact that the escheators met with force at both Wark-on-Tweed and Bellister in 1313 may suggest collusion between William de Ros of Helmsley and Robert de Bures. Gerard Salvayn, de Ros' grandson, did manage to gain possession of the Tynedale manors in 1348, but only managed to hold onto them until 1355, when they were recovered by Edward III (Moore, *Lands of the Scottish Kings*, p. 47).

great consequence, or because their main interests lay elsewhere - factors which, of course, helped to determine their allegiance in the first place. The forfeiture of men such as Michael de Lothian or John de Shilvington, owning lands worth just a few shillings a year, can have had little impact within the county. Under an administration as bureaucratic as Edward I's, anybody of any importance left a mark in the copious royal records; and the virtual absence of such men as Thomas Walran and Hugh de Penycok from these records is itself an indication of their political insignificance within England, even on a local scale. On the other hand, the forfeiture of men of somewhat greater consequence may not have had so great an effect within Northumberland: although the manor of Espleywood was not an insignificant holding, being worth nearly twelve pounds per year, its owner, Richard Siward, held far wealthier lands elsewhere in England and Scotland; and when he did recover the manor following his return to the English allegiance, he granted it away to John de Swinburne.<sup>88</sup> Nor does he appear to have played any part in Northumbrian society - particularly as the manor was within the regality of Tynedale, described by a contemporary Northumbrian jury as being outside the kingdom of England. Indeed, it would appear that none of those who sided with the Scots had figured prominently in the administration of Northumberland. This is neatly demonstrated by the Swinburnes of East Swinburn. John de Swinburne, the beneficiary of Richard Siward's generosity, held lands in Ayrshire as well as in Tynedale, and had been granted a retainer of ten marks and two robes a year by Alexander III, 'for his faithful service', which included serving as bailiff of Alexander's liberty of Penrith; but he also had an active career in the administration of Northumberland, including at least one term as a knight of the county in the parliament of 1294.<sup>89</sup> In 1296, John sided with his current employer Edward I, whilst, as we have seen, his son Adam took the part of John Balliol - albeit briefly.<sup>90</sup> Adam had not, at that point, found employment with the crown, and therefore had less to lose than his father - though in the event, his rebellion did little to

<sup>88</sup> Hodgson, *Northumb.*, II, ii, 250.

<sup>89</sup> *Ins. pub.*, p. 129; *NDD*, p. 285; *CDS*, ii, no. 146 (pp. 33, 38); Blair, 'MPs for Northumberland (1258-1327)', pp. 149-50, 167-8.

<sup>90</sup> Even after his son's defection, the king trusted John sufficiently to appoint him keeper of the bishopric of St Andrews (in the absence of its contumacious bishop) and of the earldom of Fife (Stevenson, *Docs*, ii, 17).

harm his prospects anyway. Another relevant example is Richard de Horsley, who served Edward I in Wales in 1282, and as a knight of the county in parliament in 1300. It is thus hardly surprising that he remained loyal to Edward I, despite owning land in Lanarkshire.<sup>91</sup>

In terms of the personnel of Northumberland's administration, the forfeitures of Edward I's reign would appear to have had very little impact. Politically, however, the forfeiture of nearly fifty landowners, including magnates of the stature of Robert de Ros or John Balliol, must have left rather more of a mark.<sup>92</sup> Certainly, there were Scots whose Northumbrian estates had been important to them, and who had played a role in county affairs. Whilst most of the English lands of Edmund Comyn of Kilbride had been demised to tenants, his lands in Northumberland were retained in demesne; his father had certainly taken an interest in this estate, constructing a mill-dam there (to the detriment of his neighbours), and had been active in Northumbrian affairs - enough to make it worth his while to assign a yearly retainer of five marks to Walter Cambo, who was sheriff from 1281 to 1283; and after Edmund's death at Bannockburn (in the English allegiance), his widow seems to have been concerned only to recover his Northumbrian estates, even after they had been wasted by Gilbert de Middleton.<sup>93</sup>

Nicholas de Graham also maintained an interest in his Northumbrian estates; he was amongst the Northumbrian landowners who were distrained for knighthood in 1278, and was assessed for the lay subsidy of 1296 at £7 11s at Lowick, and £9 18s at Belford; he also appeared as a witness for a deed by William Heron concerning the manor of Ford, along with Hugh Gobion, the sheriff, and other prominent Northumbrians such as Walter de Huntercombe, Walter de Cambo and Robert de Manners.<sup>94</sup> On the other hand, Richard Fraser had a tiny Northumbrian estate, which

<sup>91</sup> *Ibid.*, p. 155-6; *Ins. pub.*, pp. 167, 173. The Lanarkshire landowner may, of course, have been a different Richard de Horsley ...

<sup>92</sup> Tuck 'Northumbrian Society', p. 26.

<sup>93</sup> *CDS*, ii, no. 736; *ibid.*, iii, nos. 627, 1041, 1084; *Assize Rolls of Northumberland*, ed. Page, p. 245; *CIPM*, ii, no. 486.

<sup>94</sup> Hodgson, *Northumb.*, III, 295; C. H. Hunter Blair, 'Knights of Northumberland, 1278 and 1324', *AA*, 4th ser., xxvii (1949), p. 127; *Lay Sub.*, nos. 293, 31; *NDD*, p. 91. Another of the witnesses, Robert Grey, also sided with the Scots.

was of little significance compared to his Scottish lands; he played no part in Northumbrian affairs, and does not appear as a taxpayer in the assessment for the 1296 lay subsidy. Yet even he had cultivated contacts within Northumbrian society, for Walter de Huntercombe appears as a surety for a fine of 100 marks which Fraser proffered for the wardship of the lands (in Scotland) of the late Richard de Glen.<sup>95</sup> The sudden and violent disruption of such links can only have left Northumbrian society in upheaval.<sup>96</sup>

This disruption was exacerbated by the substantial redistribution of lands which followed, many of which ended up in the hands of outsiders or absentee landlords, magnates who had no connections with Northumberland. In 1299, the barony of Bywell and the manor of Woodhorn, along with the rest of John Balliol's estates, were granted to John of Brittany, the king's nephew - a grant perhaps inspired by financial necessity rather than any political calculation, for it was intended to cover part of John's annual fee of £1000.<sup>97</sup> John wielded considerable political weight at court, by virtue of his relationship to the king; but he had little political weight within Northumbrian society, and there is little evidence to suggest that he made any great effort to acquire any. The same situation could arise, even where lands remained in the same family; so although Wark-on-Tweed was granted to William de Ros of Helmsley, the head of the senior branch of Robert de Ros' family, Wark had been separated from the barony of Helmsley since before 1226, some seventy years previously - and William can have had no affinity within Northumberland. Naturally, he remained deeply attached to his Yorkshire estates; he extensively rebuilt Helmsley castle, the ancestral family home, greatly improving the domestic arrangements, and chose to be buried at the family priory at Kirkham. The fact that, soon after his death in 1316, his son was prepared to exchange Wark for the promise of lands elsewhere

<sup>95</sup> *Lay Sub.*, no. 341; *CFR 1272-1307*, p. 316; *CDS*, ii, no. 648. The grant of wardship was made to Fraser at Berwick in November 1292, when Huntercombe (who does not appear to have held any land or office in Scotland at this time) was there acting as an attorney for William de Vesci in the 'Great Cause' (*Edward I and Scotland*, ed. Stones and Simpson, ii, 240, 399).

<sup>96</sup> At the very least, unpleasant financial consequences could follow for the associates of those who forfeited as Scots; Fraser's debt was still unpaid in 1296, and the chamberlain of Scotland was prepared to distrain his sureties if his confiscated lands were not sufficient to cover this debt (*CDS*, ii, no. 648).

<sup>97</sup> *CPR 1292-1301*, p. 429; *CDS*, ii, no. 1103.

suggests that William and his son were unable to effectively establish themselves in Northumberland - or, given the insecurity of their tenure, did not consider it worth their while to make the necessary effort.<sup>98</sup>

Furthermore, these forfeitures coincided with the demise of the Vescis, the dominant baronial family within the county; while in the same year, Robert Delaval, lord of Callerton, was killed at Stirling Bridge, leaving the barony in the hands of his sister's husband, Andrew de Smytheton<sup>99</sup> - another outsider, with no discernible influence in county society. Many of these lordless lands, including the Vesci barony of Alnwick, ended up in the hands of Anthony Bek - only to be confiscated again, when Bek fell out with the king. Part of Alnwick did remain with John de Vesci's wife, Isabel de Beaumont; but Isabel was an unpopular court favourite, who enjoyed the distinction of being the only woman to be singled out for disapprobation in the Ordinances of 1311.<sup>100</sup> Of course, the Umfravilles retained their Northumbrian lands intact, and in the absence of the Vescis, they were left as the most powerful magnates within Northumberland; but their lands were tucked away in the south-west of the county, and much of their lordship was concentrated in Redesdale, a regality which was effectively removed from the county's jurisdiction. Anyway, to judge by the volume of complaint directed against him, Gilbert de Umfraville was an aggressive, arbitrary and litigious lord who made enemies more easily than he made friends - hardly the qualities needed to pull together a fragmented political community at a time of crisis.<sup>101</sup>

<sup>98</sup> Glynn Coppack, *Helmsley Castle* (London, 1990), pp. 25-6; and see above, pp. 20-1. The fact that the original grant of Wark to William de Ros was confirmed in November 1316 (*Calendar of Charter Rolls 1300-26*, p. 329) suggests not so much that William's son was concerned to strengthen his grip on the estate, but rather that Edward II was anxious to pre-empt the claims of Robert de Ros' daughters - claims which he had himself acknowledged.

<sup>99</sup> *CIPM*, iii, no. 419; *Families*, i, 146. Although the inquest on Delaval makes no mention of Stirling Bridge, the date of his death is given as 11 September (the day of the battle), and he certainly appears to have been serving in Scotland in the previous year (*CCW 1244-1326*, p. 72; *CDS*, v, no. 2154).

<sup>100</sup> *Rot. Parl.*, i, 284; Prestwich, 'Isabella de Vescy'.

<sup>101</sup> Various allegations against Gilbert are conveniently printed in Hodgson, *Northumb.*, II, i, 25-6. See also *NCH*, xii, 93-5; Sheila Claire Dietrich, 'Liberties and Lawlessness: Reiver Society in Tudor Tynedale and Redesdale', Unpublished PhD Thesis, Cornell University (1973), pp. 19-23.

This series of guardianships, grants, restorations, re-grants and legal disputes can only have had a severely corrosive effect upon seignorial authority within Northumberland, even where the original owners eventually recovered their lands.<sup>102</sup> More generally, disinheritance and death deprived the county of many of its leading magnates, men who were its natural political and military leaders. The author of a contemporary poem, possibly the abbot of Alnwick Abbey, made this very point:

Lugeat Northumbria nimis desolata!	(Northumbria mourns, utterly abandoned!
Facta est ut vidua filiis orbata.	She is made as a widow, bereaved of sons.
Vescy, Morley, Somerville, Bertram sunt in fata:	Vesci, Morley, Somerville, Bertram are dead:
O quibus, et quantis, et quadlibet est viduata!	Oh of what quality and quantity of men, in every part, she is widowed!)

Intriguingly, for all his long-winded condemnation of the treachery and perfidy of the Scots, the poem's author seems to have been unable to bring himself to admit that any of Northumbria's sons could actually have joined in that treachery. The reference to Somerville presumably concerns Robert de Somerville, one of the heirs of Roger de Morley, who died shortly after the battle of Stirling Bridge;<sup>104</sup> but another of that surname, John de Somerville, far from being dead, was fighting for the Scots (and for that matter, Roger Bertram and Roger de Morley were not actually especially relevant examples, having being dead since 1271 and 1265 respectively:<sup>105</sup> their deaths could

<sup>102</sup> Tuck 'Northumbrian Society', p. 26.

<sup>103</sup> 'Song on the Scottish War', *Thomas Wright's Political Songs of England: from the Reign of John to that of Edward II*, ed. Peter Coss (Cambridge, 1996), p. 173 (my translation). For the authorship of the poem, see *ibid.*, pp. 374-5.

<sup>104</sup> *CFR 1272-1307*, p. 392; *CIPM*, iii, no. 392 (*sic.*). For Somerville's career, see Blair, 'Knights of Northumberland, 1278 & 1324', p. 26. He may well have been another casualty of the battle; although the inquest *post mortem* makes no mention of the manner of his death, it deals only with his Staffordshire lands; and Staffordshire jurors are unlikely to have been well informed about recent events in Scotland. There is no evidence to suggest that Robert and John de Somerville were related.

<sup>105</sup> Roger Bertram, lord of the barony of Mitford, had died without male heirs and in a state of bankruptcy, having backed the wrong side in the Barons' Wars; similarly, after the demise of Roger de Morley, his barony of Mitford was split between three co-heiress - one of whom was married to Robert de Somerville (*Families*, i, 27, 197-8). It is possible that the poem's reference to 'Bertram' alludes to Roger Bertram of Bothal, who died in 1299/1300, leaving his 13 year-old grandson as his heir (*ibid.*, i, 192); however, the poem appears to have been written in the immediate aftermath of the battle of



hardly be said to be a matter of immediate concern for the defence of Northumberland against William Wallace).

The disruption of Northumberland's political society was not total. In December 1302, 'the barons, knights and goodmen and the whole commonalty of the county of Northumberland' were able to act collectively to agree terms with Walter Langton, for serving on John de Segrave's foray into Scotland - and to ensure that this agreement was not to be taken as a precedent.<sup>106</sup> In fact, the consequences of this disruption were not fully felt during Edward I's reign, a period when the the Scottish wars were largely fought in Scotland. But in the reign of Edward's feckless son, the Scottish wars arrived in the county with a vengeance; and 'the barons, knights and goodmen and the whole commonalty of the county of Northumberland' were able neither to defend themselves adequately against Scottish raiding, nor to organise the raising of blackmail money to buy the Scots off - an alternative which bought a measure of relief for Durham, Cumberland and Westmorland.<sup>107</sup> The removal of so many of the county's magnates goes a long way to explain these failures.

The confiscations added to the atmosphere of unthinking suspicion and mistrust which, all too quickly, the war brought to the border counties; accusations of treachery were bandied about on the flimsiest of evidence. Thus, in March 1296, William de Whittingham was arrested in Cumbria by Sir John de Wigton - on suspicion of being a Scottish spy (*insidiator*) and of fleeing his lands in order to avoid serving against the Scots - on the grounds that he was of the affinity of John Comyn the Red, who was described as 'an enemy of the king of England'. However, when he was brought before the Marshal's court at Wark-on-Tweed, the jurors declared him to be 'good and loyal', and he was acquitted.<sup>108</sup> In 1302, Thomas Chaunceler of Cambois appealed Robert de Hilton, 'king's officer', for having arrested him near Jarrow in November 1297, confiscated his horses and armour, and imprisoned him in Durham castle for a

Falkirk, when Roger would still have been alive.

<sup>106</sup> See below, p. 77.

<sup>107</sup> Jean Scammell, 'Robert I and the North of England', *EHR* lxxiii (1958).

<sup>108</sup> 'Plea Roll of Edward I's Army in Scotland', ed. Neville, no. 1. Given the great reluctance of medieval juries to convict suspects, it is entirely possible that Whittingham really was a spy.

month. Hilton admitted that he had indeed arrested Chauncler, but justified his actions on the grounds that he was then the bishop's bailiff and 'at that time Thomas was staying with William Douglas the king's enemy, and order was given throughout the bishopric that Thomas should be arrested whenever he entered the liberty'; Chauncler in turn admitted that 'he was in truth in service with William Douglas at the time of peace', but that following the accusation, he had gone to the bishopric and obtained sufficient sureties, and that Hilton had acted purely out of malice. In the event, when the plea was brought before the bishop's justices at Durham, in October 1302, Chaunceler failed to show up, and Hilton was dismissed *sine die*.<sup>109</sup> More sinister yet was the case of William of Bulthorp, described as 'a native of Scotland' who lived in England until the outbreak of war, when he fled to Scotland. Soon afterwards, he returned to Alnmouth, where he was challenged by two men of the village who obviously knew him; nevertheless, they slew him, claiming that he had refused to confirm that he was of the king's allegiance, and that they suspected he had returned with evil intent (*et felo nolens se reddere*). The king's justices sitting at Newcastle in November 1296 (one of whom, Guichard de Charron, was himself a substantial Northumbrian landholder), did not know what to do with the pair; but they were eventually granted a royal pardon.<sup>110</sup>

It is much easier to trace the English possessions of cross-border land-holders than their Scottish lands, due to the paucity of surviving Scottish records;<sup>111</sup> indeed, the acres of parchment generated - and carefully preserved - by the English Chancery provide a telling contrast with the altogether less interventionist government of the

<sup>109</sup> CDS, v, no. 298.

<sup>110</sup> C 81/22/2162; CDS, iv, no. 1782; CPR 1292-1301, p. 576; Cynthia J. Neville, *Violence, Custom and Law. The Anglo-Scottish Border Lands in the Later Middle Ages* (Edinburgh, 1998), pp. 15-16. The pair were still imprisoned awaiting the king's pleasure in 1300, despite having been tried in 1296 - an example which serves to demonstrate the glacial pace of Edwardian justice (revealed in all its bureaucratic glory by the leisurely exchange of writs and returns surviving in C 81/22/2162).

<sup>111</sup> There is a widespread belief that this paucity is due to the removal of Scotland's records by Edward I; but as Stones has pointed out (*Anglo-Scottish Relations*, pp. xxxi-xxxii), had there been any such records to remove, they would actually have stood a better chance of surviving in the English Chancery.

Scots, and it is hardly surprising that the imposition of Edwardian bureaucracy on Scotland should have aroused resentment there. Of course, by their very nature, the records of the English Chancery were concerned only with recording the king's dues, and reveal little or nothing of sentiments such as 'patriotism' or 'national identity'. Certainly, there were many who faced a genuine dilemma over their nationality: whether to remain loyal to the king of England or to the king of Scots; and many faced substantial loss whichever way they jumped. So it is hardly surprising that some, such as the earl of Dunbar, tried to sit on the fence - only to have it cut down from beneath them, for neutrality was not an option. Not unreasonably then, most seem to have solved this dilemma by following their family connections, or by a calculated consideration of their own best interests. Most of those who held land in Northumberland, and who adhered to the Scots, also held lands in Scotland; and in those cases where a comparison is possible, it appears that - unsurprisingly - sentiment followed in the footsteps of landed wealth. On the whole, the Northumbrian adherents of John Balliol consisted of those who had little to lose in Northumberland, or a great deal to lose in Scotland.

## WAR, GOVERNMENT AND POLITICAL SOCIETY

### The Impact of Invasion

To our lord King and his council from his poor burgesses of the town of Bamburgh, ... who have often before this time been ravaged by the Scottish enemy ... and are now ruined, as [the town] is utterly burned down, and many of their neighbours, their wives and their children are captured, and they have nothing left, because of which, they pray the lord king and his council, for the sake of God and for all these losses and aforesaid destruction, that they pardon the said burgesses the farm of the town.<sup>1</sup>

This petition, delivered to Edward II in 1318, is just one of the very many anguished pleas that came from Northumberland during the course of the fourteenth century. The outbreak of the Scottish wars had brought immediate devastation to the north of the county, when the Scots raided Wark at Easter 1296, and there can be no doubt that the Scots wreaked devastation on a terrible scale in Northumberland during the fourteenth century.<sup>2</sup> 1297 saw a hugely destructive invasion led by William Wallace, leaving a trail of devastation in its wake, particularly around Hexham. Whilst Edward I's unrelenting campaigning generally kept the war safely across the Scottish border thereafter, his ineffectual son proved incapable of fighting the Scots with the same grim vigour. According to Guisborough (admittedly not the most reliable of chroniclers, but writing in the north, soon after the event), Robert Bruce was committing atrocities in Northumberland as early as 1308.<sup>3</sup> The royal expedition of

<sup>1</sup> *Northumb. Pets*, p. 181.

<sup>2</sup> It is not proposed to provide an account of the course and immediate impact of Scottish raiding on Northumberland, issues which have already been examined in considerable depth by McNamee, 'William Wallace's Invasion of Northern England'; *idem*, *The Wars of the Bruces. Scotland, England and Ireland, 1306-28* (East Linton, 1997); Scammell, 'Robert I and the North of England'; Alastair J. Macdonald, *Border Bloodshed: Scotland, England and France at War, 1369-1403* (East Linton, 2000); J.A. Tuck, 'War and Society in the Medieval North', *NH* xxi (1985); Lomas, 'The Impact of Border Warfare', *et al.*

<sup>3</sup> '... cepit excerere multas strages in Northumbria', *Walter of Guisborough*, ed. Rothwell, p. 384.

1310-11, launched when the English position in Scotland had already almost completely collapsed, did nothing to improve the situation, and Northumberland suffered two major Scottish invasions within three months of Edward's return to England.<sup>4</sup> The situation became catastrophic after the English defeat at Bannockburn left the county wide open to Scottish incursion - not least because many of the most prominent Northumbrian gentry were killed or captured there.<sup>5</sup>

Contemporary chronicles make for bleak reading, with their accounts of Scottish depredations and atrocities. The *Brut* described an incursion of 1318 in particularly lurid terms:

And in þe same tyme come þe Scottes ayeine into Engeland, and destroiede Northumberlond, and brent þat lande, & robbet hit, and quelled men and wymmen, & childern þat laye in cradell, and brent also holy cherche, and destroiede Cristendome, and toke & bare awaye Englisshemennes godes, as þai had bene Sarasins or paynemes. And of þe wickednesse þat þai deden, all þe worlde spake þerof, þrough al Cristendome.<sup>6</sup>

Nor was such destruction restricted to the dark days after Bannockburn. In July 1333, when the English were besieging Berwick, William Douglas led a diversionary raid into Northumberland, where he burned Tweedmouth, besieged Queen Philippa in Bamburgh castle, and ravaged without hindrance for six days. The English, on the north bank of the Tweed, could do nothing to stop them; and such provision as had been made for the defence of Northumberland seems to have failed, for there is no evidence to suggest that the Scots met with any effective resistance. The Northumbrians amongst the royal host were thus treated to the spectacle of their own county being devastated before their eyes. One of them may well have been the young Thomas Gray, for the *Scalacronica* describes how the Scots marched through Northumberland, 'ardauntz et destruyauntz le pays au plein vieu del ost as Engles' (burning and destroying the country in full view of the English host).<sup>7</sup>

<sup>4</sup> *Lanercost*, pp. 194-5; McNamee, *The Wars of the Bruces*, pp. 53-4.

<sup>5</sup> See Appendix 3.

<sup>6</sup> *The Brut*, ed. Friedrich W.D. Brie, Early English Text Society, 1st ser., 131, 136 (2 vols, 1906, 1908), i, 210.

<sup>7</sup> *Scalacronica*, pp. 162-3 (intriguingly, Gray does not bother to mention the plight of the Queen); *Polychronicon Ranulphi Higden Monachi Cestrensis*, ed. C. Babington & J.R. Lumby, RS 41 (9 vols, 1865-86), viii, 328; *Melsa*, ii, 369; *Chronicon Domini Walteri de Hemingburgh*, ed. H.C. Hamilton,

Fourteenth-century Northumbrian inquests *post mortem* contain a similar grim litany of descriptions of estates said to be ‘worth nothing due to the destruction of the Scots’, ‘devastated by the Scots’, ‘worth nothing and lying waste by the devastation of the Scots’ or ‘totally devastated and destroyed by the Scots’.<sup>8</sup>

If this was not bad enough, English armies sent to defend the Marches were sometimes little better. In 1331, Edward III received a petition from the abbot of Blanchland complaining that the abbey had been ruined by thirty years of the Scottish war, ‘and also by the army of our lord the king when it was at Stanhope Park’; Edward evidently considered the complaint to be justified, as he granted the abbot’s request for the remission of a debt of forty marks owed to the crown. Hexham abbey was granted a remission of a debt of £63 10s on similar grounds.<sup>9</sup> When John of Gaunt led an expedition to the Marches in October 1380, to restore the situation after the English defeat at Horse Rigg, Glendale, the Northumbrians apparently complained that the depredations of Gaunt’s troops were harder to bear than Scottish raids, for at least they could fight back against the Scots.<sup>10</sup> It would have been a scant consolation to the Northumbrians that their unfortunate neighbours across the border in Berwickshire and Roxburghshire undoubtedly suffered even greater ravaging, at the hands of both the Scots and the English.

On the strength of these troubles, Northumberland has been widely regarded as hopelessly impoverished by war (by both contemporaries and by later historians). Aside from Northumberland’s peasantry and regular clergy, for many of whom, the Scottish wars brought nothing but unmitigated catastrophe, there were indeed some amongst the landowning classes who were brought to utter ruin, such as William de Beanley. Beanley served in the garrison of Berwick castle; and after its fall in April

English Historical Society Publications (2 vols, 1849), ii, 311, ii, 308; Ranald Nicholson, *Edward III and the Scots. The Formative Years of a Military Career, 1327-35* (Oxford, 1965), pp. 124-6. It is worth noting that Halidon Hill, just to the north of Berwick, offers a panoramic view of Northumberland, with Bamburgh castle clearly visible.

<sup>8</sup> *CIPM*, vi, no. 560 (inquest on John de Parva Ryhill, April 1325); *ibid.*, no. 759 (inquest on David de Strathbogy, earl of Athol, April 1327); *ibid.*, no. 597 (inquest on Robert de Raymes, December 1324); *CIPM*, xvi, no. 592 (inquest on Alan de Heton, April 1388).

<sup>9</sup> *Northumb. Pets*, pp. 195-7; *CCR 1330-3*, pp. 266-7.

<sup>10</sup> Thomas Walsingham, *Historia Anglicana*, ed. H.T. Riley, RS xxviii (2 vols, 1863-4), i, 446-7.

1318, he petitioned the king for relief from a rent of twelve marks which had been due to Patrick Earl of March for land in Northumberland, and was now in the king's hand following Patrick's forfeiture. He added that he had lost his horse in the king's service, and was reduced to begging for clothes for himself and his wife, for all of his goods and chattels had been despoiled by the Scots. The petition was endorsed for consideration by the king and council - where it evidently met with scant sympathy. By May 1320, he had resorted to selling off land to John de Lilleburn. After this, he was accused of adhering to the Scots; and in March 1326, his forfeited lands in Howick were granted to Thomas Gray. Ironically enough, in the previous July, Gray had been appointed to receive back into the king's peace those in Northumberland who joined the Scots 'through poverty or other urgent necessity', of whom William de Beanley was surely a prime example.<sup>11</sup>

However, Beanley's case was not as typical as has usually been supposed, and the extent of war damage inflicted on Northumberland was in fact greatly - and deliberately - exaggerated. When, in August 1322, the jurors on an inquest returned that the manor of Linmouth, near Morpeth, rendered nothing 'because of devastation of war', they were probably not exaggerating, for the Scots had indeed launched a devastating invasion of Northern England in that January - although Durham, Lancashire and the East Riding of Yorkshire were the main targets of their aggression.<sup>12</sup> However, in May 1325, the jury on the inquest *post mortem* on Gilbert de Umfraville may well have been stretching the truth when they listed no less than thirteen of his properties as 'devastated by the Scots and worth nothing'.<sup>13</sup> By this time, Northumberland had enjoyed the benefits of three years of uninterrupted truce. It is hardly likely that these manors had been so completely devastated that they had made no recovery whatsoever in this period. Fortunately, there are other surviving records to provide a comparison; the rectorship of the parish of Ponteland was held by Merton College, Oxford, and the records for the wool tithe for this period suggest that

<sup>11</sup> *Northumb. Pets*, pp. 165-6; 'Woodman Charters', tr. H.H.E. Craster, *AA*, 3rd ser., v (1909), p. 48; *CPR 1324-27*, pp. 147, 254.

<sup>12</sup> *CIPM* vi, nos. 339; McNamee, *Wars of the Bruces*, p. 96. There was another Scottish raid in October, but the findings of the inquest had already been returned to Chancery by then.

<sup>13</sup> *CIPM*, vi, no. 607.

this area of Northumberland - not far removed from Umfraville's holdings at Prudhoe - was already recovering by 1324.<sup>14</sup> The implication is that Northumbrian juries were exaggerating the extent of the destruction. A more blatant example of such exaggeration is provided by the inquest *post mortem* of Sir Thomas Gray, the son of the chronicler, in 1401.<sup>15</sup> That his castle and manor of Wark on Tweed should have been worth nothing 'owing to destruction by the Scots' is perhaps believable, as Wark had been sacked in 1399, whilst Gray had been away at Westminster, helping to depose Richard II; indeed, he had subsequently claimed that the Scots had 'robbed his goods to the value of 2000 marks, put his children and people to ransom for £1000, burned his houses and beat down the castle walls' - though the story undoubtedly improved with the telling.<sup>16</sup> However, the same inquest solemnly recorded that virtually all of his lands were similarly worthless, including lands at Bamburgh, Middleton, Doddington, Ewart, Reaveley, Earle, Hebron, Presson, Coldmartin, Yeavinger, Biddlestone and Kilham. The only properties to have escaped this thorough and wholesale devastation were the manors of Howick and Hawkhill, said to be worth annually twenty marks and ten marks respectively, and a messuage in Alnwick worth eight shillings. There is no very obvious reason why the Scots should have decided to spare these particular three properties from the otherwise total destruction apparently inflicted on Gray's estates; nor did the jurors venture to suggest one. As the last decade of the fourteenth century had actually been - comparatively - peaceful, with only intermittent raiding and skirmishing rather than the sustained warfare of the 1380s, there can be no doubt that the damage caused to Gray's estates was deliberately and systematically overstated.

Certainly, there is other evidence which more truly reflects the real values of Northumbrian estates in this period. For instance, in November 1399, Henry Percy the younger was prepared to offer 600 marks for the wardship of the lands of Bertram de Monboucher; from the terms of the grant, it is clear that he expected to recoup his investment in no more than ten years, suggesting a value of at least forty pounds *per annum*. And as Henry IV effectively owed his crown to the Percies, the grant is likely

<sup>14</sup> McNamee, *Wars of the Bruces*, p. 106.

<sup>15</sup> *CIPM*, xviii, no. 433.

<sup>16</sup> *CDS*, iv, no. 542; and see below, pp. 66-7.



to have been made on generous terms, so this is probably a significant underestimate.<sup>17</sup> A couple of years later, William de Swinburne granted his manors of Capheaton, Stamfordham and Heugh to his eldest son, in return for an annual rent of 100 marks. As this was a cordial family settlement, again there is no reason to doubt that this represents a minimum statement of their value.<sup>18</sup> In November 1356, as a royal boon towards the payment of his ransom, Thomas Gray was permitted to export 100 sacks of wool to Flanders from the port of Berwick, to save him the labour and expense of transporting them the seventy-odd miles to the staple port at Newcastle.<sup>19</sup> Significantly, these sheep were kept near Norham, where Gray was constable of the castle overlooking the Tweed; clearly, the large-scale Scottish raid on Norham twelve months previously, in which Gray had been captured, had done little to damage his material wealth. Nor had it deterred him from keeping large flocks of sheep next to the Scottish border - even though he held lands further out of harm's way, in the south of the county, and in Durham. For that matter, the brief Scottish occupation of Berwick in 1355 had evidently failed to disrupt the port's trade. Admittedly, the raid of 1355 was an isolated incident in a period of truce; but this merely serves to highlight the intermittent impact of the Anglo-Scottish wars.

Even the rash of castle building which transformed the built-landscape of Northumberland over the fourteenth century, and which has been taken as further proof of the destabilising effects of the Scottish wars on Northumbrian society, can also be taken as evidence of the continued financial vitality of that society. Sophisticated ashlar-faced and bartizaned towers such as Edlingham and Belsay, and fashionable courtyard castles such as Chillingham and Ford, did not come cheap. Indeed, many of these buildings were as much an exercise in conspicuous consumption as a defence against Scottish raiding, such as the elegant gatehouse at Bothal, replete with armorial decoration, for which Sir Robert Bertram received a

<sup>17</sup> *CPR 1399-1401*, pp. 49-50. Monboucher's estates did include lands in Sussex, valued at just under £21 15s 7d, at an inquest eventually held in February 1401 (*CIPM*, xviii, no. 74); the inquest on the Northumbrian lands, held with even greater tardiness in May 1401, valued them at 7 marks (*ibid.*, no. 73).

<sup>18</sup> NRO, ZSW 4/89.

<sup>19</sup> *Fædera*, III, i, 343.

licence in May 1343.<sup>20</sup> The ostentatious decoration of the main chamber of the tower at Edlingham, with its magnificent fireplace and carvings, was 'clearly designed for the maximum display possible', and its large ground-level window embrasures, built facing outwards and thus unprotected, suggest that such castles were not built solely - or even primarily - from considerations of practical defence.<sup>21</sup> Obviously, such a conspicuous display of wealth required the existence of disposable wealth to be thus conspicuously displayed.

The deliberate and systematic exaggeration of war damage practised by Northumbrian inquest juries stemmed from an obvious motive, for the jurors were usually the neighbours and colleagues of those who might hope to farm lands during the minority of an heir. Umfraville's lands are a case in point, for in September of the same year, these were committed to the keeping of Roger Mauduit, a Northumbrian landowner whose father had served in parliament as knight of the shire on at least five occasions, and who himself was subsequently to serve as knight of the shire, sheriff, keeper of the peace and commissioner of array - despite his erstwhile career as a Lancastrian rebel. As usual, the terms of this grant made Mauduit responsible to the Exchequer for the issues of these lands, so it was obviously to Mauduit's immediate financial advantage if the Exchequer believed that these lands were worthless because they had been 'burned and wasted by the Scots'.<sup>22</sup> Similarly, the custody of Gray's lands was subsequently granted to his under-age son (also named Thomas), to the value of twenty pounds, with any surplus to be accounted for;<sup>23</sup> but as the entire estate had been valued at only just over twenty pounds, 'because of destruction by the Scots', it would have been easy to claim that no such surplus existed. In fact, it was to the advantage of every Northumbrian landowner to talk up the level of devastation. As we have seen, at the height of the Scottish raiding during Edward II's reign, the men of Bamburgh had petitioned for respite for the rents, a petition which was duly granted.

<sup>20</sup> *CPR 1343-5*, p. 30.

<sup>21</sup> G. Fairclough, 'Edlingham Castle', *Transactions of the Ancient Monument Society*, new ser., xxiv (1984), p. 57.

<sup>22</sup> *CIPM*, vi, no. 607; *CFR 1319-27*, p. 359; *CPR 1334-8*, pp. 139, 209.

<sup>23</sup> *CPR 1401-5*, p. 57.

And many other such respites were granted, including respites for the entire county farm, and exemptions from taxation. These respites were, at this time, certainly justified, as the culmulative effect of eleven years of continuous Scottish raiding undoubtedly had a disastrous effect on the county's economy - though even then, petitioners were apt to make the most of their losses.<sup>24</sup> However, even during the reign of Edward III, when their impact was generally much reduced, Scottish incursions continued to leave a similar flotsam of doleful petitions in their wake, couched in similarly plaintive terms. Thus, in 1347, the year after the Scots were crushingly defeated at Neville's Cross, the barons Thomas de Lucy and William de Greystoke, and Sir Robert de Herle, petitioned for the remission of their contributions to the recently granted fifteenth and the aid for the knighting of the Black Prince - on the grounds that 'their lands and those of their tenants in the county of Northumberland have been devastated by the attacks of the Scots'. But like insurance claims, such petitions have to be treated with a degree of scepticism. In 1346, the Scottish hosts had invaded England via Liddesdale in Cumberland, crossing the border on 8 October.<sup>25</sup> They then spent four or five days besieging the peel at Liddel, before marching down the Tyne valley to the bishopric of Durham, which they reached at least a couple of days before the battle, on 17 October. The Scots cannot, therefore, have spent any more than four days in Northumberland itself - and most of the county thus escaped their attentions.<sup>26</sup> Whilst all the accounts emphasise the burning and

<sup>24</sup> See the comments of Tuck, 'War and Society in the Medieval North', p. 42. We may, for instance, suspect Robert de Raymes of a degree of embellishment when, in *circa* 1316, he claimed that he had suffered £1000 worth of damage at the hands of the Scots; after all, a middling knight, whose lands comprised a moiety of a small barony and a couple of manors, is hardly likely to have had £1000 worth of wealth to be plundered (*NCH*, x, 346; *CIPM*, vi, no. 597).

<sup>25</sup> According to a news letter written by Thomas Samson, a northern cleric (*Oeuvres de Froissart*, ed. Kervyn de Lettenhove (25 vols, Brussels, 1867-77), v, p. 489). This accords well with the Lanercost chronicler, who reports that the Scottish army mustered on 6 October, at the border (*Lanercost*, pp. 344-5; and see the comments of Alexander Grant, 'Disaster at Neville's Cross: The Scottish Point of View', *The Battle of Neville's Cross, 1346*, ed. David Rollason & Michael Prestwich (Stamford, 1998), p. 21n.). The most recent discussions of the course of the invasion are Michael Prestwich, 'The English at the Battle of Neville's Cross', *ibid.*; C.J. Rogers, 'The Scottish Invasion of 1346', *NH* xxxiv (1998).

<sup>26</sup> For the duration of the siege of Liddel peel, see *Lanercost*, p. 345; *The Anonimale Chronicle, 1333-81*, ed. V.H. Galbraith (Manchester, 1927), pp. 23-4. According to the Lanercost chronicler, the

devastation which accompanied their passage, and the Scots would have had to seize large amounts of food from the area merely to feed themselves - to the loss of the locals - there is, nevertheless, a limit to the amount of damage which even a large army such as this could have caused in just four days. And of the three petitioners, one of them, William de Greystoke, held nothing in the county that was anywhere near the Scottish invasion route, save for some minor property at Heddon on the Wall.<sup>27</sup>

The council (in the absence of the king, who was busy besieging Calais) certainly did not take the petitioners at their word, and commissions were appointed to investigate these claims - commissions composed of Northumbrian landowners who were, unavoidably, colleagues and neighbours of the men they were supposed to be investigating. The commission appointed to look at de Lucy's claim, for instance, was headed by the sheriff, Robert Bertram, and Bertram had fought alongside de Lucy at Neville's Cross - both men were amongst the recipients of a letter of thanks from the King for their efforts there. Another member of the commission was Alexander de Featherstone - who held the manor of Featherstone of de Lucy.<sup>28</sup> Understandably, the council was reluctant in the extreme to accept the results of such inquests; it would appear that only Herle's petition was granted, grudgingly - and then only on condition that the collectors of the subsidy went to the affected towns and took another inquest, to check the veracity of the first.<sup>29</sup>

Conversely, there were circumstances when the jurors at an inquest might be prejudiced *against* their neighbours by local politics. William de Felton and Thomas de Heton made precisely this claim in 1324, after the Exchequer had ordered an

Scots stayed in Hexham for three days - which, if taken to mean that they arrived on the first day and left on the third, would fit with the times proposed here.

<sup>27</sup> For Greystoke's Northumbrian lands, centred round Morpeth, see *CIPM*, x, no. 524 (*inquest post mortem*, in 1359).

<sup>28</sup> *CPR 1345-8*, pp. 302, 379; *Fædera*, III, i, 91-2; *CIPM*, xii, no. 17. It is a striking example of the incestuousness of such commissions that, just a year previously, de Lucy had himself been appointed to a similar commission to investigate the request of the poor men of Cumberland for a similar remission of taxes, after a Scottish invasion. And it should come as no great surprise to find that de Lucy found in their favour (*Northern Petitions, Illustrative of Life in Berwick, Cumbria and Durham in the Fourteenth Century*, ed. C.M. Fraser, SS cxciv (1981), pp. 106-7).

<sup>29</sup> *CCR 1346-9*, pp. 461-2.

inquiry into the value of the goods seized by Felton and Heton when they had arrested Gilbert de Middleton. They alleged that the under-sheriff had packed the jury with Middleton's adherents ('ses aerdaunz et [autres] de sa couyn'), who had maliciously valued these goods at £2000, a sum which the Exchequer was now threatening to distrain from their lands; they claimed that to the contrary, their spoils had amounted to no more than nine marks each.<sup>30</sup> Clearly one side or the other was lying - and in fact the claims of neither side bear close scrutiny. Middleton's brief reign of terror was undoubtedly profitable - he managed to extort at least 450 marks from 'la Communate de la vesche de Durrem', for instance<sup>31</sup> - and he would have had little opportunity to dispose of his ill-gotten gains before his capture; in this light, the assertion of Felton and Heton that they found only nine marks worth of booty each is somewhat less than credible. Hardly more credible, however, is the claim that in the three months his rebellion lasted, Middleton managed to amass a sum equivalent to that which an entire Scottish army would have been happy to extort during a full scale invasion of northern England.<sup>32</sup>

And here, it is worth making the more general point that the royal administration, based as it was in Westminster (aside from its occasional migrations to York), was largely dependent on the co-operation of local juries for its information on affairs in the localities - particularly for distant areas such as the Marches. Consequently, where such local juries were willing to collude, it was not especially difficult to mislead or even directly deceive the Chancery; and it follows that many surviving Chancery

<sup>30</sup> *Northumb. Pets*, p. 149 (the inquest referred to is presumably that recorded in E 368/89, m. 172); Michael Prestwich, 'Gilbert de Middleton and the Attack on the Cardinals, 1317', *Warriors and Churchmen in the High Middle Ages*, ed. Tim Reuter (London, 1992), pp. 191-2. It is an interesting reflection on the snail-pace of Exchequer administration that while the original inquest had been held during the second shrievalty of William Ridell (August 1317 - October 1319), Felton and Heton do not seem to have faced the prospect of distraint until 1324. Nor is there any evidence to suggest that the threatened distraints were ever actually implemented.

<sup>31</sup> DCD, MC 4049, 5053 (printed in *Middleton*, pp. 47-8, along with A.E. Middleton's rather lame attempt to absolve his forebear from the charge of levying blackmail).

<sup>32</sup> For the scale of blackmail payments made to the Scots in this period, see Scammell, 'Robert I and the North of England', *passim*.

records may actually be quite as fictional as more overtly literary works, such as chronicles.

Most modern historians have described the Marches as enduring a state of 'endemic' warfare throughout the late middle ages.<sup>33</sup> In fact, over the course of the fourteenth century, Scottish raiding was only intermittent. Northumberland faced repeated large-scale incursions only in the periods 1311-22, 1341-6 and 1380-89. Otherwise, apart from the particularly devastating invasions of 1297 and 1327, raiding and skirmishing was largely confined to the immediate border areas in Norhamshire, Tynedale and Redesdale, and, to a lesser extent, Glendale (which was protected to some degree by the Cheviots, which still form a formidable barrier to cross-border travel even today). Long periods of truce, such as that between 1322 and 1327, provided a respite, however temporary. Even during the worst periods of Scottish raiding, there were short truces which allowed for some degree of recovery; during the truce from December 1319 to Christmas 1321, the income recorded by Durham Priory's proctor for their estates in Norhamshire showed a marked improvement in both 1319/20 and 1320/1 - albeit from a catastrophically reduced base.<sup>34</sup> More significantly, there were lengthy periods when successful English military operations confined the fighting largely to Scotland, notably between 1333 and 1337, when Edward Balliol was contesting the Scottish kingship; and especially after the battle of Neville's Cross, while David II languished in the Tower of London. The Scots did attempt to regain the initiative in 1355, in David's absence; however, Edward III's ferocious retaliation, the 'Burnt Candlemas', was enough to deter any further incursion across the border until the end of his reign.<sup>35</sup> Open war broke out again after his death, culminating in the famous English defeat at Otterburn in 1388; but the

<sup>33</sup> Including, for example, King, 'Englishmen, Scots and Marchers', p. 220.

<sup>34</sup> Lomas, 'The Impact of Border Warfare', p. 150. Norhamshire produced less than £9 income in 1318/19; by 1320/1, this had recovered to nearly £23 (*ibid.*; curiously, despite his own figures, Lomas suggests that 'the truce of 1319 had no apparent effect').

<sup>35</sup> From 1369, with the renewed outbreak of the Anglo-French war, the Scots did start to make serious efforts to drive the English out of their enclaves in Scotland; but the fighting was largely confined to the north of the border, despite concerns about the security of the English marches (Macdonald, *Border Bloodshed*, ch. 1).

Anglo-French truce of the following year forced the Scots to concede a truce, which more-or-less held until the overthrow of Richard II.

Given the intermittent nature of the Scottish wars, Northumberland experienced comparatively little to equal the almost total economic and social collapse visited upon parts of France during the same period.<sup>36</sup> Recovery from even the worst devastation was fairly rapid. For instance, Durham Priory's recorded income from Norhamshire was reduced to only £22 in 1327-8 following the appallingly destructive Scottish invasion of October 1327; but the invasion was not repeated, and by 1329/30, the Priory's Norhamshire revenues had recovered to £194.<sup>37</sup> Similarly, the border barony of Wark had been overrun by the Scots, and its castle captured and destroyed in May 1318; but by May 1329, it had recovered enough to be valued at sixty pounds *per annum*, despite the invasion of 1327.<sup>38</sup> Nevertheless, Scottish raiding could have a catastrophic impact on landed revenues in the short term, whilst it also provided an obvious and readily comprehensible explanation for the ill-effects of underlying economic, climatic and demographic trends which brought about a real long term decline in Northumbrian agriculture.<sup>39</sup> Indeed, the very threat of Scottish raiding rendered landed income less dependable; and this is reflected in the many Northumbrian leases which included provision for the effects of Scottish raiding. An example is the agreement by which William de Swinburne leased lands from Geoffrey de Kyrgille, for fourteen marks *per annum*. This was arranged in May 1332, at a time when the Disinherited were preparing to reignite the Scottish wars, and a clause provided that if the lands were devastated by Scottish attacks ('qe deux defende'),

<sup>36</sup> For France, see Nicholas Wright, *Knights and Peasants. The Hundred Years War in the French Countryside* (Woodbridge, 1998), *passim*.

<sup>37</sup> Lomas, 'The Impact of Border Warfare', pp. 150-1. My interpretation of these figures differs from that of Lomas. The records of income for 1321-27 have not survived; as the income for 1327/8 is actually slightly less than that of 1320/1, Lomas concludes that there was little recovery in the intervening years; however, as his own figures suggest a significant degree of recovery in the two years after the truce of 1319 (above, n. 34), it is more likely that the figures for 1327/8 hide a recovery temporarily obviated by the devastating Scottish invasion of that year.

<sup>38</sup> Society of Antiquaries, MS 121, f. 20; *Lanercost*, p. 220; *CPR 1327-30*, p. 392.

<sup>39</sup> Tuck, 'War and Society in the Medieval North', pp. 33-43; Richard Lomas, *North-East England in the Middle Ages* (Edinburgh, 1992), pp. 58-64; *idem*, 'The Impact of Border Warfare', *passim*.

then Swinburne would not be held to payment.<sup>40</sup> On the other hand, there were plenty of leases and rent agreements which made no provision for any war damage whatsoever. An example is the agreement made in September 1383, by which Sir Robert Delaval settled his lands at Newsham on his eldest son John and his wife, in return for an annual rent of ten pounds;<sup>41</sup> although this was just three months after the Scots had fired Wark castle, the deed makes no allowance for any act of war. Of course, Newsham, near the mouth of the river Blyth and over forty miles to the south-east of Wark, was hardly in immediate danger of being raided by the Scots, whilst a father and son might be expected to be able to reach some agreement in such an eventuality without recourse to legally binding pre-arrangements. Similarly, where 'peppercorn' rents were concerned, devastation by the Scots was not an issue; even in January 1317, when Scottish raiding was at its worst and affecting all of Northumberland, Weland Mauduit was never likely to be financially crippled by the single peppercorn (*unum granum pipis*) which he was required to provide each year for John de Plessey, in return for a twenty-one year lease on some meadow-land in Shotton.<sup>42</sup> Even so, the very fact that even at this time, there were those who were planning for the long term, and who were willing to take on leases (albeit on the cheap), proves that not every Northumbrian landowner was overwhelmed by the invasions of the Scots.

## A County Administration at War

On 15 October 1322, the day after the disastrous battle of Old Byland where Edward II was nearly captured by the Scots, a writ was addressed to all the sheriffs of the country and to the constables of six key northern castles - including Norham, Alnwick

<sup>40</sup> NRO ZSW 4/77. For contemporary examples from other parts of northern England, see McNamee, *Wars of the Bruces*, p. 250.

<sup>41</sup> NRO, Waterford Charters, no. 6 (printed *NCH*, ix, 207; the Waterford charters are calendared in *Historical Manuscripts Commission, Eleventh Report, Appendix*, vii (1888), no. 6 at p. 71). This appears to be part of a marriage settlement; John's wife was a daughter of John de Mitford, Northumberland's leading fourteenth-century parliamentarian.

<sup>42</sup> NRO, ZRI 1/15 (printed Hodgson, *Northumb.*, II, ii, 345).



and Dunstanburgh in Northumberland. They were ordered not to give credence to any letters sent out under the privy seal, for the seal had been lost. Clearly, it was feared that it had fallen into the hands of the Scots, and they might use it to forge royal letters; fortunately, the privy seal turned up, and a writ countermanding the previous order was sent out a fortnight later.<sup>43</sup> As this incident vividly demonstrates, the Scottish wars inevitably had a detrimental impact on the government of Northumberland, particularly in the years after Bannockburn, when Edward II was too busy squabbling with Thomas, earl of Lancaster, to attend to the defence of northern England. In these circumstances, crown officials were understandably reluctant to put themselves at risk by venturing into the Marches - and the actions of some Northumbrians, such as John de Lilleburn's attempted murder of Colle de Derby in 1315, would have done little to calm their fears. It therefore comes as no surprise to find the 'poures gentz de Northumbreland' complaining to the king's Council, in 1319, that no assizes had been held in the county for ten years, 'por ceo qe les Justices ne oseint venir la pur la guerre'.<sup>44</sup>

Not surprisingly, it has been argued that at this period, 'the Marches were without government',<sup>45</sup> but this was not actually the case, for the county administration in Northumberland continued to function throughout this time of crisis, with remarkably little interruption. Juries of Northumbrian landowners continued to sit on inquisitions *post mortem* on their fellows. Escheators and their officials continued to administer the transfer of inheritances, putting heirs in seisin of their lands, and making divisions of estates between co-heiresses. And at a time of military crisis, following the defeat at Otterburn, the crown could still find time to concern itself with the building of a twenty foot long porch on a chantry chapel at Newcastle.<sup>46</sup> Indeed, for much of the fourteenth century, much of the routine administration of Northumberland was entirely unaffected by the Scottish wars. The work of fourteenth-century local government entailed a considerable burden of routine bureaucracy (much - if not most

<sup>43</sup> CCR 1318-23, p. 682.

<sup>44</sup> '... because the justices fear to come because of the war', *Northumb. Pets*, pp. 115-6. Lilleburn's attack on Colle de Derby is discussed below, pp. 133-4.

<sup>45</sup> Scammell, 'Robert I and the North of England', p. 385.

<sup>46</sup> *Northumb. Pets*, pp. 12-13.

- of it involved with the collection of minor debts owed to the crown). Even in the war-torn Marches, this bureaucracy still ground remorselessly on, and, as elsewhere in England, Northumberland's sheriff's had a staff of under-officers to perform the more mundane tasks.<sup>47</sup> Indeed, William de Tyndale (sheriff from October 1331 to December 1332) complained that he had had to spend £40 on the wages of his undersheriff (*sutvisconte*), clerks, gaoler and usher (*porter*).<sup>48</sup> On the whole, these under-officers remain elusive figures, having left little surviving record of their activities; but they generally appear to have been clerks of no very great standing. One such was Robert de Thyngden who in *circa* 1359 appears as a deputy (*deputatus*) of sheriff Alan del Strother, recovering various minor arrears of debts from that inveterate collector of parchment, William, son of Sir William de Swinburne; and in the previous year, he had acted as a surveyor of the King's works at the castle at Newcastle upon Tyne.<sup>49</sup> He is recorded as a chantry chaplain of the king's chapel there in 1341, at a salary of £5 a year.<sup>50</sup> As the castle was habitually in the keepership of the sheriff of Northumberland, it is hardly surprising that Thyngden was employed in this extra capacity - and as £5 *per annum* was hardly a wealthy benefice, he would doubtless have welcomed the extra income. The careers of men such as Thyngden can have been little different from those of their counterparts in more peaceful regions of England.

The office of coroner in Northumberland was somewhat anomalous compared with the rest of England; uniquely, in the absence of sheriff's tourns, the coroners were responsible for investigating all felonies, and cases of wreck and treasure trove.<sup>51</sup> Nevertheless, just as elsewhere in England, it was not widely sought by the 'county' gentry, despite its locally enhanced powers;<sup>52</sup> therefore, Northumbrian coroners were

<sup>47</sup> A.L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), pp. 109-10.

<sup>48</sup> *Northumb. Pets*, p. 96.

<sup>49</sup> NRO, ZSW 1/74; CCR 1354-60, p. 464.

<sup>50</sup> CCR 1341-3, p. 156.

<sup>51</sup> R.F. Hunnisett, 'The Origins of the Office of Coroner', *TRHS*, 5th ser., viii (1958), pp. 99-100; *idem*, 'Pleas of the Crown and the Coroner', *Bulletin of the Institute of Historical Research* xxxii (1959), pp. 124, 133; *idem*, *The Medieval Coroner* (Cambridge, 1961), pp. 5, 7, 135, 150-1; C.M. Fraser, 'The Northumberland Eyre of 1293', *NH* xxxvi (2000), p. 22.

<sup>52</sup> Nigel Saul, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981), pp. 142-5; Katherine S. Naughton, *The Gentry of Bedfordshire in the Thirteenth and Fourteenth*

generally men of no great landed wealth - and of correspondingly little import - whose careers were again largely unmarked by war. There were some exceptions; Robert de Eslington, who was subsequently knighted, was removed from the office in 1309 on the grounds that he was serving in Scotland. Likewise, William de Shaftow was replaced as he was 'continuously engaged in the king's service under Robert de Umframvill ... so that he cannot attend to the duties of coroner'.<sup>53</sup> But given the unpopularity of the office throughout England, it is entirely likely that both were simply seeking an excuse to escape it, for, as we shall see, many other Northumbrians managed to combine military and administrative careers without any such apparent difficulty. The low status of the office is well demonstrated by the Tyndale family. William de Tyndale is recorded in the office in 1301 and 1305.<sup>54</sup> His grandson and namesake was the first of the family to be knighted; having achieved this mark of social advancement, Sir William eschewed the office, preferring to serve in the more prestigious role of sheriff and knight of the shire.<sup>55</sup>

It was on higher offices and crown commissions that the state of war tended to impact most, and on the landed gentry who tended to fill these posts. Of twenty-two Northumbrian knights listed in a return of May 1324 (including the sheriff, Gilbert de Burghdon, who omitted his own name), a large proportion were heavily involved in the county administration at some stage in their careers: four served as sheriff, three others as knights of the shire, whilst another served in both capacities; one more served as coroner, and another as a tax-assessor.<sup>56</sup> Likewise, a number of the ninety-five men-at-arms named in the Northumbrian list held crown office during

*Centuries*, Leicester University Occasional Papers, 3rd ser., ii (1976), pp. 40-5.

<sup>53</sup> *CCR 1307-13*, p. 166; *NDD*, p. 98; *CCR 1313-18*, p. 179.

<sup>54</sup> *CIM 1219-1307*, nos. 2401, 2403; *Northumb. Pets*, pp. 55-8.

<sup>55</sup> He was appointed sheriff in October 1331, and had himself elected to the parliament of the following March.

<sup>56</sup> Sheriffs: William Ridell, John de Fenwick, Gilbert de Burghdon and John de Lisle of Woodburn; knights of the shire: Roger Mauduit, Robert de Clifford and John de Burghdon (as no returns survive for Northumberland for 17 parliaments between 1310 and 1340, this figure may well be too low); John de Lilleburn filled both offices; Robert de Eslington served as coroner (*CCR 1307-13*, p. 166) and Adam de Benton as a taxman (*CPR 1292-1301*, p. 611; *CPR 1301-07*, p. 15). For the 1324 list, see below, pp. 86-91.

their lives, for many were of some considerable standing. This is borne out by an examination of the men who acted as sheriffs in the county. The statute of Lincoln in 1316 specified that sheriffs should hold sufficient lands in the county where they held office, 'por resoundre au Roi & au Poeple'. Nevertheless, the repeated re-enactment of this measure, and the monotonous litany of complaint from the Commons on the subject, suggest that for much of the fourteenth-century, many sheriffs did not fulfil this qualification.<sup>57</sup> This was not the case in Northumberland. By the end of Edward I's reign, influential local knights such as John de Cambo, lord of Horton in Chatton, and Luke Tailboys, lord of a moiety of the manor of Hepple, were regularly being appointed to the shrievalty.<sup>58</sup> The first sheriff of the next reign was Alan de Retheby, probably a clerk of the king's household, with no discernable Northumbrian connections; but in December 1307, he was replaced by Robert de Fawdon, lord of Fawdon, in Gosforth. An exception to this trend was John de Caunton (sheriff from July 1311 to May 1312), a man with no known prior connections with the county. He arrived with William de Caunton, banneret, from Ireland, in July 1311, to serve in the garrison of Berwick; and he is presumably the same man who, in June 1310, was appointed captain of the royal fleet assembling at Perth, and who appears to have been recruited from Ireland by Piers de Gaveston.<sup>59</sup> The Cauntons were involved in the administration of Ireland, where William served as sheriff of Cork in 1302-7 and 1312-17,<sup>60</sup> and it was doubtless the Gaveston connection which secured the shrievalty

<sup>57</sup> *Rot. Parl.*, i, 353; *The Statutes of the Realm (1101-1713)*, ed. A. Luders *et al.* (11 vols, Record Commission, 1810-28), i, 174; William A. Morris, 'The Sheriff', J.F. Willard, *et al.* (eds), *The English Government at Work, 1327-1336* (3 vols., Cambridge, Mass., 1940-50), ii, 48; Saul, *Knights and Esquires*, p. 108.

<sup>58</sup> Cambo had been elected to his first parliament shortly before being appointed sheriff, and was a juror for the assessment of Glendale ward for the 1296 lay subsidy (*Lay Sub.*, p. 132; *NCH*, xiv, 238). Tailboys had also served in parliament and was a tax collector for Northumberland, before becoming sheriff (*CPR 1292-1301*, p. 611; *NCH*, xv, 380).

<sup>59</sup> *CDS*, iii, p. 395; *Rot. Scot.*, i, 82; J.S. Hamilton, *Piers Gaveston, Earl of Cornwall, 1307-12. Politics and Patronage in the Reign of Edward II* (London, 1988), p. 62, 150n. A John de Caunton was serving in Scotland in 1306 - *CDS*, v, no. 492 (p. 210).

<sup>60</sup> Henry F. Berry, 'Sheriffs of the County Cork - Henry III to 1660', *Journal of the Royal Society of Antiquaries of Ireland* xxxv (1905), p. 44. As the Cauntons were suffering from a long-running and lethal feud with the Roches in Cork (Kenneth Nicholls, 'The Development of Lordship in County Cork,

of Northumberland for John.<sup>61</sup> However, Caunton is an exception who proves the rule, for he married Alice, the widow of Thomas de Soules, a Scotsman whose Northumbrian lands had been forfeited in 1296 - a marriage presumably arranged by the king to provide him with a Northumbrian interest after the event.<sup>62</sup> Thereafter, however, until the appointment of Thomas de Rokeby in 1405, every sheriff held significant lands in Northumberland; indeed, the vast majority held all of their lands within the county.

In fact, many of those who served as sheriff owed their families' social and administrative advancement to opportunities provided by the outbreak of war. The Burghdons, for instance, had played no significant part in county affairs before 1296, though they were of knightly rank. However, in addition to their Northumbrian estates, they held land in Roxburghshire, though they remained in the English allegiance; as Anglo-Scottish landowners of proven loyalty, they were obviously ideal for Edward I's administration of the conquered 'land' of Scotland, and Walter de Burghdon was appointed sheriff of Perth.<sup>63</sup> This must have been a somewhat thankless task, but nevertheless, he went on to serve as knight of the shire for Northumberland in 1313. His son Gilbert was appointed keeper of the peace for the county in 1320 and served as sheriff in 1323-4; and he made a good marriage to a daughter of Robert de Umfraville, from whom he held land and with whom he had served in Scotland.<sup>64</sup> John de Burghdon (Gilbert's brother) was elected to parliament in 1331, and was

1300-1600', *Cork History and Society. Interdisciplinary Essays on the History of an Irish County*, ed. Patrick O'Flanagan & Cornelius G. Buttimer (Dublin, 1993), p. 185), Northumberland - then still relatively unblighted by Scottish raiding - must have seemed like a haven of peace to John. (I am indebted to Professor Robin Frame and Beth Hartland for advice and references to the Caunton family.)

<sup>61</sup> If Caunton did owe his office to Gaveston, his loyalty to his patron was evidently brittle, for a John de Caunton was amongst those pardoned as an adherent of Thomas of Lancaster in October 1313 (*CPR 1313-17*, p. 23).

<sup>62</sup> *CDS*, iii, no. 609. Unfortunately, the date of this marriage is not apparent, but as he was appointed sheriff a week after returning from Ireland, it can hardly have occurred before then.

<sup>63</sup> *Ins. pub.*, pp. 127, 139; Stevenson, *Docs*, ii, 17.

<sup>64</sup> *CPR 1317-21*, p. 459; *CIPM*, xv, nos. 431, 434; *ibid.*, vi, no. 607; *CDS*, v, nos. 2844, 2870; *CCW 1244-1326*, pp. 351, 362. John is described as the brother of Gilbert in a letter of protection issued in 1308 (*CDS*, v, no. 2695).

appointed a keeper of the peace in 1335;<sup>65</sup> and John Burghdon the younger represented the county in the parliament of 1328. It was Edward I's invasion of Scotland which brought the family into the crown's local administration; and after the English administration in Scotland had collapsed, their service was transferred to Northumberland.

Not all were so willing to take up crown office. Some of Northumberland's knights did apparently manage to avoid any commitments, either military or administrative. As we shall see, Robert de Lucker's military service to the crown was less than extensive;<sup>66</sup> he seems to have been even less assiduous in serving the crown in an administrative capacity. Others who were less successful in evading office clearly resented the fact. William de Tyndale complained that he been appointed as sheriff 'encontre sa volounte'. This may have been mere rhetoric, as he was petitioning for extra allowances to be made against his account, but within a year of leaving office, he obtained a writ exempting him from further service in crown office against his will.<sup>67</sup> However, there can have been few as reluctant as the unfortunate Robert de Melkleye, a Hertfordshire landowner who fell foul of Walter Langton, Edward I's notoriously avaricious chancellor. When Langton was put on trial in 1307, Melkleye complained that Langton had threatened to have him appointed as sheriff of Northumberland and then to ruin him when he presented his accounts.<sup>68</sup> Langton's actions were undoubtedly prompted by his greed for Melkleye's Hertfordshire manor of Milkley, rather than by any Northumbrian connection; nevertheless, it is intriguing that Langton should have considered the county's shrievalty to be a suitably intimidating office.

On the other hand, there were plenty of Northumbrians who sought out offices, and having obtained them, proved reluctant to part with them. John de Coupland, for

<sup>65</sup> *CPR 1334-8*, p. 209.

<sup>66</sup> See p. 86, below.

<sup>67</sup> *Northumb. Pets.*, p. 75; *CPR 1330-4*, p. 462.

<sup>68</sup> *Records of the Trial of Walter Langton, Bishop of Coventry and Lichfield, 1307-12*, ed. Alice Beardwood, CS, 4th ser., vi (1969), pp. 296-8; Alice Beardwood, 'The Trial of Walter Langton, Bishop of Lichfield, 1307-12', *Transactions of the American Philosophical Society*, new ser., liv (1964), p. 21. I am indebted to John Maddicott for these references.

instance, was high in Edward's favour after his spectacular *coup* at Neville's Cross, in capturing King David. It is therefore hardly likely that his six year stint as sheriff (April 1350-November 1356) was forced upon him against his will - particularly as he had numerous concurrent military commitments which would have provided ample excuse to evade the office. Indeed, as he was granted a life-time exemption from taking up knighthood in 1358, there is no doubt that he could have obtained an exemption from serving in crown office, had he so wished.<sup>69</sup> The tenacity with which some clung to office is demonstrated by John de Lilleburn's tenure as sheriff. In 1327, Lilleburn petitioned the king for aid to maintain his family, whilst emphasising his readiness to serve in defence of the marches 'with men-at-arms and hobelars'; in response, he was appointed as sheriff in November.<sup>70</sup> In the following February, he elected himself to the parliament at York. In June, he was replaced by Robert de Horncliffe, but in less than two months he had been re-appointed. In December 1330, Horncliffe was appointed again; but in October 1331, when William de Tyndale was appointed sheriff, it was Lilleburn - and not Horncliffe - who was ordered to hand the county over to him; and there is no evidence that Horncliffe ever actually acted as sheriff, despite his two appointments.<sup>71</sup> Horncliffe was clearly not averse to serving the crown, for he was constable of Bamburgh from February 1327 to January 1332, and was active in various judicial commissions at this time;<sup>72</sup> so it would appear that this was a case of Lilleburn refusing to surrender the shrievalty, rather than of Horncliffe refusing to accept it. There may well have been an element of factional hostility involved, for Lilleburn had been a prominent adherent of Thomas of Lancaster, whilst on the other hand, Horncliffe had remained staunchly loyal to the king, being instrumental in the capture of Gilbert de Middleton (and was duly rewarded by Edward for his efforts).<sup>73</sup>

<sup>69</sup> *CPR 1358-61*, p. 121.

<sup>70</sup> *Northumb. Pets*, pp. 168-9. Lilleburn's assurances were not just empty promises, for until Michaelmas, he had been in the king's service on the marches, in the retinue of Henry de Percy (*CPR 1327-30*, p. 136).

<sup>71</sup> *CFR 1327-37*, pp. 69, 94, 101-2, 199, 275.

<sup>72</sup> *CFR 1327-37*, pp. 5, 296; *CPR 1330-4*, pp. 133, 134, 136, 292, 390; *CDS*, iii, no. 1032.

<sup>73</sup> *CPR 1317-21*, pp. 75, 116, 123, 231; *Middleton*, pp. 91-2.

Lilleburn had a long record of violent crime; indeed, just months before his appointment as sheriff, he had failed to appear before King's Bench, on a charge of plundering £100 of goods from Gilbert de Halton, the parson of Embleton (and an erstwhile fellow adherent of Thomas of Lancaster). That Lilleburn was equally unscrupulous in the exercise of his shrieval duties is confirmed by a petition from a Northumbrian widow, Agnes de Yetlington, complaining of his malpractices, allegedly including false imprisonment and extortion. This petition (unfortunately undated) was endorsed by the council with a recommendation for Lilleburn's removal; yet Lilleburn remained as sheriff for four years, for much of which he had no apparent official sanction. And when he finally was prised out of office, he left owing arrears of sixty-five pounds on his account. The debt was eventually written off in 1338, 'in consideration of his service to Edward II and the present king in the war of Scotland and elsewhere, and his losses therein'.<sup>74</sup> In the face of this local intransigence, the Chancery was either unwilling - or unable - to impose its authority. Indeed, in what appears to have been a fit of absent-mindedness, Lilleburn was again appointed sheriff in June 1339, in place of Robert Darreyns. The Chancery quickly repented of its error, for just a week later, Lilleburn was in turn replaced by Gilbert de Burghdon, who had already served one term (July 1323 - Christmas 1324). In the event, Darreyns seems to have proved just as reluctant to part with the office as had Lilleburn before him. Burghdon was re-appointed in September 1340 - yet at the same time, Darreyns was ordered to deliver the county to him, suggesting that Burghdon's initial appointment had not been effective.

As these examples suggest, many of the Northumbrian gentry held a casually proprietorial attitude to royal office. Endorsing a receipt issued by one of his clerks, Alan del Strother described himself (or was described) as sheriff of Northumberland for the regnal years 31, 32 and 33 Edward III (*i.e.*, January 1357-January 1360). In fact, he had officially been replaced by Henry del Strother in November 1358. As Henry was his brother, it would appear that Alan continued to exercise some of the duties of the office on Henry's behalf, without reference to Westminster.<sup>75</sup> Nor were

<sup>74</sup> KB 27/269, m. 17d.; *NCH*, xiv, 435; *Northumb. Pets*, pp. 121-2; *CPR 1338-40*, p. 81. It is of course possible that it was Agnes' petition which occasioned Lilleburn's final replacement by Tyndale.

<sup>75</sup> NRO, ZSW 1/74; *CFR 1356-68*, p. 80; Blair, 'Sheriffs of Northumberland', pp. 49-50. Alan was



such high-handed attitudes confined only to royal office; in April 1398, William de Swinburne received a royal writ summoning him to Chancery, to explain to the king and his council why he had intruded himself, 'with false and rashly assumed authority, and unjustly', into the stewardship of Hexhamshire (a liberty belonging to the archbishop of York). The stewardship pertained to the office of bailiff of the lordship, as the writ recited, and this had been granted to John de Clavering some eighteen years previously, by his kinsman, Archbishop Alexander de Neville. Clavering had had the foresight to get his grant enrolled in Chancery, and this enrollment reveals that the grant had included the right to appoint substitutes. In all probability, Clavering himself appointed Swinburne as steward, and the latter simply refused to relinquish the office once he had got hands on it.<sup>76</sup> What makes this dispute particularly intriguing is the manner in which it came to the king's attention. In February 1398, Swinburne was appointed to a commission to recover the debts which Archbishop Robert Waldby owed to the crown at his death. This involved the auditing of the accounts of all the archbishop's ministers - amongst whom was John de Clavering (and Swinburne himself, of course, though the crown is unlikely to have realised this when he was appointed to the commission).<sup>77</sup> This inadvertant exercise in turning poachers into gamekeepers was clearly too much for Clavering; he evidently decided that it was high time he took action against his recalcitrant deputy, thus bringing to a head a quarrel which may have been simmering quietly for a long while.

Dependent as it was on the Northumbrian gentry to provide for the defence of Northumberland, the royal government had little choice but to tolerate such intransigence. By the same token, it was forced to overlook more serious transgressions - and so a previous record of adherence to Gilbert de Middleton's rebellion was no hindrance to a subsequent appointment as sheriff. Similarly, when the overly-ambitious John de Coupland was murdered by his fellow marchers, those suspected of involvement in the affair suffered no great harm to their long-term career

first appointed sheriff in November 1356, and re-appointed for another year after 12 months (*CFR* 1356-68, pp. 19, 52). For the relationship of Alan to Henry del Strother, see *NDD*, p. 142; *NRO*, ZSW 4/52.

<sup>76</sup> *NRO*, ZSW 1/96; *CPR* 1381-5, p. 410. The dispute is briefly noted by J.A. Tuck, 'Richard II and the Border Magnates', *NH* iii (1968), p. 32.

<sup>77</sup> *CPR* 1396-9, p. 293.

prospects. Crown office was clearly considered to be a desirable commodity, and the crown was obliged to accommodate these desires, leading, as we have seen, to an increasing tendency to make appointments to office from successive generations of the same families - or even from the same generations of the same families. Thus, in November 1358, Alan del Strother was succeeded as sheriff by his brother Henry. When Thomas Surtees died in office as sheriff, in July 1379, he was immediately replaced by his son and heir, Alexander (although the latter was himself replaced in the following November).<sup>78</sup> Similarly, when Bertram Monboucher died in office in June 1388, he was likewise replaced by his son and heir, and namesake. Indeed, the writ appointing Bertram the son as sheriff was sent out from Chancery on the same day as the writ of *diem clausit extremum* on Bertram the father.<sup>79</sup> This policy reached its logical conclusion with the appointment of Henry Percy, earl of Northumberland, as sheriff of Northumberland for life in August 1385 (when he had already been serving in the office for nearly a year).<sup>80</sup> In the event, Percy seems to have relinquished the office after three years, leading to Bertram Monboucher's appointment; but he served as sheriff again from November 1391 to November 1397.

The Percy family's interest in the shrievalty obviously stemmed from their efforts to extend their influence throughout the marches. The gentry, for the most part, were moved by rather less grandiose considerations in taking up crown office. The obvious motive was profit, for although most of these offices were unsalaried, there were many opportunities for graft; and there were undoubtedly those who were keen to exploit such opportunities to the full - for instance, the accounts of the bursar of Durham priory for 1337-8 include, under the heading of 'necessary expenses', a 'gift' of two marks to the under-sheriff of Northumberland 'for executing favourably writs touching the prior and convent'.<sup>81</sup> There were also opportunities for the distribution of patronage. In March 1375, the sheriff of Northumberland was ordered to hold

<sup>78</sup> *CFR 1377-83*, pp. 157, 174. This was a good six months before Alexander received seisin of his father's lands (*ibid.*, p. 174).

<sup>79</sup> *CFR 1383-91*, pp. 248, 291.

<sup>80</sup> *Ibid.*, p. 76, 111.

<sup>81</sup> '[Sub]vic' Northumbr' de dono ut fauoribliter exerqueret brevia tangent priorem et conventum - xxvj. s.', DCD, Bursar's Account, 1337-8 (A), m. 4. (I owe this reference to the kindness of Dr Constance Fraser).

elections to select new coroners to replace Robert de Croxton, Nicholas Ingoe and William Hidwyn, all of whom were 'elected by the late sheriff only and not with the assent of the county, as the king has heard'. The affair must have stirred up considerable resentment in the county, for no less a person than Henry Percy subsequently raised the issue at Chancery.<sup>82</sup> More seriously, in 1342, the king 'was informed' that the sheriffs of Northumberland had been quietly pocketing the proceeds of cornage, a render paid by Northumbrian landowners every third year 'from time out of mind', and said to be worth £50; and in April of that year, the treasurer was ordered to inspect the sheriff's accounts and to take appropriate action.<sup>83</sup> It is not surprising that the county's sheriffs should have been able to get away with this, for they were frequently granted respites on their farms and rents, specifically because of the depredations of the Scots (such a respite had been granted to the former sheriff Robert Darreyns in the previous May).<sup>84</sup> Cornage was an ancient tribute long predating 1066, and which survived only in Northumberland and Cumberland; as such, it is hardly likely to have been prominent in the minds of Exchequer clerks in Westminster, and while its continued survival throughout the century was conscientiously attested in Northumbrian inquests *post mortem*, Exchequer clerks were unlikely to have come across these Chancery documents.<sup>85</sup> An obscure render due only every third year, and payment of which had anyway frequently been suspended, could thus easily have slipped the Exchequer's collective mind. Of course, the sheriffs may well have been unable to exact anything like the full amounts due, but even so, the sums raised would have provided them with a useful supplement to their incomes. Extortion was also prevalent - and profitable. When Adam de Yetlington was murdered by a neighbour, the sheriff, John de Lilleburn, seized all his

<sup>82</sup> *CCR* 1374-7, pp. 127, 139-40. The former sheriff in question was John de Fenwick, who was replaced in December 1374.

<sup>83</sup> *CCR* 1341-3, p. 581.

<sup>84</sup> *Ibid.*, pp. 155-6. The discovery of this cornage fraud may go some way to explaining the massive debts which Darreyns owed to the crown at his death.

<sup>85</sup> *E.g.*, *CIPM* vi, nos. 518, p. 323 (1324), 560, 607 (both 1325); *CIPM*, viii, no. 545 (1345); *CIPM*, xvi, nos. 247 (1385), 410 (1387), no. 779 (1388), etc. It would have been in the interests of the jurors to emphasise the charges on any estates, as they or their neighbours may have hoped to farm them. The nature of cornage is discussed in William E. Kapelle, *The Norman Conquest of the North. The Region and its Transformation, 1000-1135* (London, 1979), pp. 74-5.

goods; when Adam's widow, Agnes, tried to recover these goods, she was imprisoned until she paid him 4 marks. She subsequently petitioned the king, complaining that while Lilleburn remained sheriff, she would obtain neither 'ley ne resoun', and demanding his removal.<sup>86</sup> At the very least, crown office helped a landowner to look after his own interests. In July 1348, the sheriff of Northumberland was ordered to pay to John de Clifford the arrears of 340 marks owed to him by the crown, from the issues of the county. There can be little doubt that the sheriff was assiduous in putting this order into effect, for he was none other than Clifford himself. Nor had Clifford wasted any time in raising the matter of this debt, for he had been appointed just a month previously.<sup>87</sup>

Such abuses of power were not, of course, confined only to Northumberland, and whether Northumbrian officials were actually any more venal than sheriffs of other counties is impossible to measure;<sup>88</sup> but Northumbrians did perhaps have a greater motive for corruption. The economic consequences of Scottish raiding were undoubtedly not as severe as the Northumbrians themselves painted them in their frequent and lurid pleas to the crown for relief. Nevertheless, if only in the short term, a Scottish raid could have a devastating impact on an individual's holdings, whilst those who served under arms could often wait years for arrears of pay and might well face the unwelcome expense of a ransom. In these circumstances, the holding of office, and especially crown office, offered a degree of security and an income (whether obtained legally or not) which landed revenue or military service alone could not offer. And this was recognised by the crown, as is made clear by the grant of the office of sheriff to John de Lilleburn, explicitly in response to his petition to the king for aid.<sup>89</sup>

<sup>86</sup> *Northumb. Pets*, pp. 121-2.

<sup>87</sup> *CCR 1346-9*, p. 477; *CPR 1345-8*, p. 285. The sum in question was Clifford's reward for handing over to royal custody the Scottish knight Sir Walter de Haliburton, whom he had captured at Neville's Cross two years previously.

<sup>88</sup> For 'considerable evidence of corruption amongst the Essex gentry', see Jennifer C. Ward, *The Essex Gentry and the County Community in the Fourteenth Century*, *Studies in Essex History* ii (1991), pp. 21-3. Corruption amongst royal officials across England generally is discussed by W.M. Ormrod, *The Reign of Edward III. Crown and Political Society in England, 1327-77* (London, 1990), pp. 157-8.

<sup>89</sup> *Northumb. Pets*, pp. 168-9.

Office-holding could not, however, guarantee social standing, and there are examples of families who were ruined by the wars and dropped out of the county office-holding clique (or who were pushed). Guichard de Charron and his like-named son were both prominent in Northumbrian affairs, both serving as sheriff and as justices; but the younger de Charron was killed at Bannockburn, bringing his line to an end. Nevertheless, as his daughter and heir had been married four years previously, to Bertram Monboucher, it is unlikely that he would have produced a son, and the family would thus have succumbed to a failure of male heirs in any event.<sup>90</sup> The Burghdon family, who owed their rise to administrative prominence to the Scottish wars, may also have owed their demise to the same wars. One of the few English casualties of Dupplin Moor was an audacious English knight, John de Burdon. He can safely be identified with either John de Burghdon or John de Burghdon junior, both of whom represented Northumberland in parliament, and the elder of whom held the manor of Burradon of Gilbert de Umfraville, one of the most prominent of the Disinherited.<sup>91</sup> Unfortunately, it is not clear whether it was the younger John de Burghdon or his father who came to grief at Dupplin Moor, but if the former, then the family's failure in the male line can perhaps be ascribed directly to that battle. A more definite case is that of the Fawdons. Robert de Fawdon, assessed for the lay subsidy of 1296 as lord of Fawdon (near Newbiggin), was one of those who succumbed to the chivalric junketing of the Feast of the Swans, and took up knighthood in May 1306; and in December 1307, he was appointed sheriff.<sup>92</sup> His son and heir John reached no such pre-eminence, and is listed merely amongst the men-at-arms in the return of 1324, despite being rewarded by the King for his part in the capture of Gilbert de Middleton. Indeed, having had his lands burned by the Scots on three occasions, and having been captured twice, John evidently wanted a quieter life, for he petitioned - in vain - for the coronership of Holderness; and it would appear that he had actually been an adherent of Middleton's who realised the error of his ways.<sup>93</sup> This failure to prosper

<sup>90</sup> *NCH*, ix, 249-60; *Northumb. Pets*, p. 165.

<sup>91</sup> *Melsa*, ii, 364; *The Anonimale Chronicle, 1307-1334*, ed. Wendy R. Childs & John Taylor, Yorkshire Archaeological Society Record Series cxlvii (1991), p. 150; *CIPM*, vi, no. 607.

<sup>92</sup> *Lay Sub.*, no. 155; Constance Bullock-Davies, *Menestrellorum Multitudo. Minstrels at a Royal Feast* (Cardiff, 1978), p. 185.

<sup>93</sup> *Parl. Writs*, II, ii, 650; *Northumb. Pets*, pp. 143, 144-5. See p. 150 below for Fawdon's betrayal of

in the unsettled conditions of Edward II's reign is hardly surprising, but John's difficulties may have been exacerbated by the loss of family lands in Scotland. One Robert de Fawdon swore fealty to Edward I for his estates in the shire of Edinburgh in 1296, and there is no reason to doubt that this is the same man who was the lord of Fawdon.<sup>94</sup> By the time John succeeded him, in 1314, the family's Scottish lands would have been of no value to them, and this loss of income may well help to explain their declining status - and also their disaffection with Edward II's inept prosecution of the Scottish war, a disaffection which led John and his brothers to join Gilbert de Middleton's uprising.

Even those who did manage to obtain crown office did not necessarily benefit from it. Having served as sheriff for the exceptionally long term of six years (1334-40), Robert Darreyns died four years later, owing a crushing debt of over £700 on his shrieval account; consequently, his lands were taken into the king's hands, and his widow had some difficulty in obtaining her dower.<sup>95</sup> Unsurprisingly, the Darreyns' do not subsequently feature amongst the county's administrators. However, the family's declining status cannot be ascribed simply to Robert's ineptitude as sheriff, as the family appear to have been in financial difficulties for long before this time. Robert's father had begun to dispose of his patrimony as early as 1288. By 1302, he had been reduced to mortgaging the manor of Callerton Darras (to which the Darreyns' had given their name), to John de Eure. By the time of his death, Robert himself had apparently already handed over all of his goods and chattels to Robert Manners and William de Kellawe in payment for debts.<sup>96</sup> It was the death of Robert's underage son and heir, leaving Robert's sister as sole heir, that induced Eure's son to foreclose on the mortgage, thus initiating a protracted course of litigation and completing the ruin of the family.<sup>97</sup> This ruin was thus brought about by longstanding

Middleton.

<sup>94</sup> *Ins. pub.*, p. 161.

<sup>95</sup> E 199/33/4 (which records his debt as £727 18s 5d); *CIPM*, viii, no. 545 (which puts his debt at £741 17s ¼d). Although Darreyns was officially replaced as sheriff by John de Lilleburn in June 1339, he seems to have continued to act until Michaelmas 1340 (*List of Sheriffs*, p. 97).

<sup>96</sup> *NCH*, vi, 186-9, xii, 488-9; E 199/33/4.

<sup>97</sup> *Ibid*; *Northumb. Pets*, pp. 42-3, 74-8. The keeping of Callerton Darras had been granted to John de Eure and Thomas Gray after Robert's death in 1344 (*CFR 1337-47*, p. 381), but this would have lapsed

indebtedness and a failure of male heirs (factors which were hardly unique to fourteenth-century Northumberland). Robert Darreyns was the first - and last - of his family to be knighted, and the first - and last - to hold crown office. Far from exacerbating the family's problems, the Scottish wars enabled Darreyns to stave them off for a few decades.

By sheer force of circumstance, the same men who ran the crown's local administration in Northumberland bore much of the responsibility for defending the county on a day-to-day basis. This combination of military and administrative duties arose partly by simple default; as we have seen, royal officials from elsewhere in the realm were frequently less than anxious to re-locate to a war-zone, so local men had to be employed in their stead. Similarly, the constables of Northumbrian castles such as Bamburgh were responsible for administering the castle's bailiwick, while the constable of Norham, held by the bishops of Durham, acted *de officio* as the sheriff of the bishop's liberty of Norhamshire. These constables could hardly avoid a military complexion to what remained, in most of England, a purely administrative office. Despite the overarching military responsibilities of the wardens of the march, the sheriffs of Northumberland continued to perform an important role in military affairs. They were, for instance, routinely appointed to commissions of array *ex officio*;<sup>98</sup> and in a marcher context, such commissions were not simply an excuse to ship all of the local criminals and vagabonds out of the county. After Bannockburn, Northumbrian sheriffs habitually rode around with large retinues 'per salua et secunda custodia partium Northumbr' et ville Noui Castri super Tynam', at the expense of the crown. For instance, Adam de Swinburne retained no less than eighty men-at-arms and eighty hobelars - until his arrest and removal from office in August 1317.<sup>99</sup> A later example of a militant sheriff is provided by Sir Robert Bertram, who held the office in 1346, when David II invaded England. According to a contemporary local account, Bertram played a prominent part in assembling the army which countered this threat; and he

with the death of Robert's son.

<sup>98</sup> E.g., CPR 1330-4, p. 416; Rot. Scot., i, 762; CPR 1364-7, p. 431; CPR 1367-70, pp. 264-5; CPR 1374-7, p. 498; Rot. Scot., ii, 57, 95; CPR 1385-9, p. 475; CPR 1391-6, p. 94.

<sup>99</sup> Society of Antiquaries, MS 120, f. 45; E 101/378/4, f. 26v.

was amongst the twelve individuals who personally received letters from the king thanking them for their good service at the resulting battle at Neville's Cross. A rather more substantial reward was an annuity of 200 marks, granted by Edward in exchange for Bertram's prisoner, William Douglas.<sup>100</sup> Nor was Bertram's military role confined solely to defending Northumberland, for in March 1347, whilst still in office, he was amongst the *seigneurs du North* who were to receive payment for ninety days service in Scotland (in Bertram's case, with a retinue of twenty men-at-arms and a like number of mounted archers).<sup>101</sup> For much of the fourteenth century, the office of warden was in the hands of magnates such as Richard, earl of Arundel, John of Eltham, earl of Cornwall, William de Bohun, earl of Northampton, Thomas, Lord Berkeley, Henry de Beaumont or John de Cromwell.<sup>102</sup> These were men who had no Northumbrian lands or connections, and while they were frequently associated with local magnates such as the Percies, the Umfravilles or the Nevilles, they obviously needed contacts with the Northumbrian gentry. The sheriff was the obvious man to provide these links, which, in turn, required a sheriff of some standing within the county.

Unsurprisingly, combining military and administrative duties could present certain difficulties. In March 1342, William de Felton, sheriff and escheator for Northumberland, was given respite by the king from rendering his accounts for these offices until Michaelmas, as he was busy defending Roxburgh castle.<sup>103</sup> As the barons of the Exchequer were rarely in the habit of giving anybody the benefit of the doubt, such cases could all too easily result in financial penalties for Northumbrian officials

<sup>100</sup> Thomas Sampson's letter, *Oeuvres de Froissart*, ed. Lettenhove, v, 490; *Rot. Scot.*, i, 678, 675; *Fædera*, III, i, 91-2; *CPR 1345-8*, p. 225. Bertram subsequently surrendered the annuity for a straight grant of 800 marks (*CFR 1347-56*, p. 367).

<sup>101</sup> *Rot. Scot.*, i, 692. This was for Edward Balliol's Scottish expedition of May 1347; Bertram had also been one of the sixteen northerners summoned to Westminster to give their advice on this expedition, in January of that year (see below, p. 247).

<sup>102</sup> Wardens of the March are listed in C. H. Hunter Blair, 'The Wardens and Deputy Wardens of the Marches of England towards Scotland, in Northumberland', *AA*, 4th ser., xxviii (1950); and more comprehensively in Boyle, 'Wardens of the Marches', pp. 314-35, and Storey, 'Wardens of the Marches, 1377-1489'.

<sup>103</sup> *CCR 1341-3*, p. 499.



whose military duties kept them in the marches. When William Ridell, who served as sheriff from August 1317 to October 1319, failed to render his account, the Exchequer barons did remit his fine, 'considering that the delay arose from his needful presence in the king's service, defending his county against the Scots, who constantly invaded it by day and night'.<sup>104</sup> More typical was the case of John de Fenwick, fined £20 in 1330, for failing to render his accounts from his second term as sheriff (February 1325 to June 1327). Fenwick had in fact taken the precaution of appointing an attorney, Michael de Pressen (a Northumbrian landowner who was elected to at least four parliaments between 1324 and 1330), to present his accounts for him. Unfortunately, Pressen was himself detained on the king's business, and was thus unable to act on Fenwick's behalf. Fortunately, however, the king was unwilling that Fenwick should lose thereby, and ordered the amercement to be quashed.<sup>105</sup> Conversely, administrative duties could work to the detriment of military duties. John de Coupland was appointed as keeper of Roxburgh in November 1346. In April 1350, he was also appointed sheriff and escheator of Northumberland. The combined work-load seems to have been beyond him, for in 1353, it was reported that he spent most of his time in the latter county and was rarely seen in Roxburgh. Consequently, his letters of protection for service in the garrison there, issued in the previous November, were revoked, so that the abbot of Furness could pursue litigation against him concerning land in Lancashire - litigation which had been adjourned *sine die* by virtue of these letters. Nevertheless, he was still acting as sheriff of Roxburgh in August of that year, and managed to retain the keepership until September 1355; and he was subsequently re-appointed in November 1361.<sup>106</sup>

The selection of sheriffs of Northumberland was not, however, subject solely to military criteria.<sup>107</sup> In April 1305, at the height of Edward I's quarrel with Anthony Bek, John de Creppinges, the existing sheriff of Northumberland, was replaced by a royal clerk, John de Sheffield. De Creppinges had acted for Bek as sheriff of Durham

<sup>104</sup> CDS, iii, no. 560. For Ridell's constant military service in this period, see Society of Antiquaries, MS 121, f. 20; CDS, v, nos. 3166, 3234; E 101/378/4, f. 13.

<sup>105</sup> CCR 1330-3, p. 42; *Northumb. Pets*, pp. 96-7.

<sup>106</sup> CFR 1337-47, p. 494; CCR 1349-54, pp. 539-40; CDS, v, no. 3861; *Rot. Scot.*, i, 761, 781, 858.

<sup>107</sup> Cf. Saul, *Knights and Esquires*, pp. 111-13.

in 1302; presumably, it was hoped that Sheffield's loyalties would be less divided. Unfortunately, this hope turned out to be unfounded, for Sheffield seems to have 'gone native'; he proved reluctant in the extreme to act against Bek, and may even have gone to the lengths of commissioning Pierre de Langtoft to write his chronicle, as part of a campaign to bring about the bishop's rehabilitation. The reason for this switch in allegiance is not hard to fathom; a letter of *circa* May 1306 reveals that Sheffield could call on Bek's support at the papal court in the furtherance of a dispute with the archbishop of Canterbury, patronage which matched anything Sheffield was likely to obtain from the king.<sup>108</sup> Another case is that of John de Caunton, a probable adherent of Piers de Gaveston, for it may well have been more than routine good lordship from his patron that secured the shrievalty for him, despite a glaring lack of any prior Northumbrian connections. He was appointed in July 1311, at a time when Henry de Percy was emerging as a leading opponent of Gaveston - and Percy had recently acquired the important barony of Alnwick from Anthony Bek. If Caunton's appointment was indeed intended to counter opposition to Gaveston in the north, then it was unlikely to have been purely co-incidence that his departure from office, at the end of May 1312, coincided with Gaveston's surrender to the earl of Pembroke.<sup>109</sup> A rather more haphazard appointment was that of William Ridell, named in August 1317 to replace the disgraced Adam de Swinburne, who had been arrested after provoking the king with an overly forthright description of the state of the marches.<sup>110</sup> Swinburne had himself replaced Ridell in October 1315; Ridell's re-appointment was the first instance in Northumberland since 1268 of anybody serving two terms as sheriff, and in all likelihood, it was simply the case that a replacement for Swinburne

<sup>108</sup> SC 1/31/12 ( (partially calendared in *CDS*, v, no. 429 - and see below, p. 68); Langtoft, *Le Règne D'Édouard I<sup>er</sup>*, ed. Thiolier, pp. 227, 165; Thea Summerfield, *The Matter of King's Lives* (Amsterdam, 1998), pp. 17-18; Fraser, *Antony Bek*, pp. 196, 201. Sheffield was in dispute over his church of Foulden, Norfolk, which had been sequestrated by the archbishop.

<sup>109</sup> Caunton was not, however, one of the prime targets of the Ordainer's ire; he did not feature amongst those whose removal was demanded in the supplementary Ordinances of November 1311 (*Munimenta Gildhallæ Londoniensis*, ed. H. T. Riley, RS 12 (1860), iib, 682-90; 'Annales Londonienses', ed. Stubbs, pp. 198-202). Caunton's probable links with Gaveston are discussed above, pp. 49-50. For Percy's role in the campaign against Gaveston, see Hamilton, *Piers Gaveston*, pp. 87, 95-6.

<sup>110</sup> *Scalacronica*, p. 144; Society of Antiquaries, MS 121, f. 12v.; *Middleton*, pp. 36, 78.

was needed in a hurry, and Ridell's name was to hand. By contrast, Thomas de Rokeby was carefully selected to be appointed sheriff in January 1405 as a deliberate attempt to undermine the earl of Northumberland, at a time when Henry IV's relations with the earl were deteriorating further.<sup>111</sup> As elsewhere in England, national politics inevitably impinged on local government, and the dictates of political expediency could influence the appointment of Northumberland's officials just as much as the Scottish wars.

### War and Parliamentary Representation

Northumberland's parliamentary representation - or, in some cases, the lack of the same - was one area of government on which the Scottish wars undoubtedly did have a direct impact. Any analysis of Northumberland's knights of the shire is complicated by the lack of sheriff's returns and enrolled writs *de expensis* for the first half of the fourteenth century; it is impossible to identify any members for Northumberland for seventeen out of the thirty-seven parliaments between 1302 and 1327.<sup>112</sup> Generally, the absence of enrolled expenses claims for those named in the sheriffs' returns cannot be taken as proof that they simply failed to turn up for parliament;<sup>113</sup> but given that this period coincided with the worst effects of the Scottish wars, this begs the question of whether this is a matter of a poor survival rate of the relevant documentation, or whether Northumberland was simply not sending representatives to many parliaments.

On occasion, the electors of Northumberland did indeed explicitly decline to make any election. When a parliament was summoned at Westminster in January 1315, in

<sup>111</sup> Below, p. 225.

<sup>112</sup> Blair, 'MPs for Northumberland (1258-1327)', p. 141. Fortunately, the situation is much improved for the latter half of the century.

<sup>113</sup> K.L. Wood-Legh, 'The Knights' Attendance in the Parliaments of Edward III', *EHR* xlv (1932), pp. 398-401; J.G. Edwards, 'The Personnel of the Commons in Parliament under Edward I and Edward II', *Historical Studies of the English Parliament I: Origins to 1399*, ed. E.B. Fryde & Edward Miller (Cambridge, 1970), pp. 160-4.

the aftermath of Bannockburn, the sheriff (William Ridell, who himself subsequently attended parliament, in November 1325) returned the writ with the comment that he had presented it to the full county court, only to be told that all of the knights of his bailiwick were not enough to defend the marches. The clear implication was that none could be spared for parliament; and so none were elected. The same response was made by the bailiffs of Newcastle.<sup>114</sup> At this time, a major Scottish invasion was expected imminently - and Northumberland was not the only county unwilling to send any of its defenders away; after a meeting of Yorkshire magnates arranged by the archbishop of York and the bishop of Durham, a letter was sent to the king, asking him whether the lords of the county who had been summoned to parliament should actually come to London or not; and they were duly excused attendance.<sup>115</sup> Northumberland was represented at the Lincoln parliament of July 1316 by Richard de Horsley and John de Vaus; but for the parliaments of October 1318, May 1319 and January 1320, no returns survive for the county. As the Marches were subjected to frequent and major Scottish incursions until the truce of December 1319,<sup>116</sup> it is likely that the returns for these parliaments do not survive because no returns were made in the first place. The *communitas comitatus Northumbr'* clearly had more pressing matters to attend to than the election of knights of the shire. With the truce in effect, the county court could operate more normally, and Northumbrians were duly returned to the parliaments of October 1320, July 1321 and May 1322. However, there was a major Scottish invasion in October 1322, and it is unlikely to be merely coincidence that no returns survive from Northumberland for the parliament held at York in November. A more lasting truce followed in the wake of Andrew de Harclay's rebellion, and with the county court of Northumberland once more able to operate

<sup>114</sup> 'Istud breve ostensum fuit in pleno Comitatu ubi responsum fuit mihi quod omnes milites de balliva mea non sufficiunt ad defensionem marchie', *Parl. Writs*, II, ii, 145.

<sup>115</sup> *CDS*, v, no. 598; *CCR 1313-18*, p. 205; *Rot. Scot.*, i, 136-7; McNamee, *Wars of the Bruces*, p. 78; J.R. Maddicott, *Thomas of Lancaster, 1307-22. A Study in the Reign of Edward II* (Oxford, 1970), pp. 167-8.

<sup>116</sup> For the truce, see *Vita Edwardi Secundi*, ed. Noel Denholm-Young (London, 1957), pp. 102-3. It held until its expiry at Christmas 1321, and, after a brief hiatus during which the bishopric of Durham was devastated, was then renewed until the following Michaelmas (McNamee, *Wars of the Bruces*, pp. 95-6).

without interruption, elections were duly held for the next parliament, in February 1324.

The Scottish wars were again offered as an excuse for not electing any representatives to the Lincoln parliament in September 1327; this time, according to the sheriff's endorsement, the community of the county had declared that they [*sic.*] were so ruined by the devastation of the Scots that they could not afford to pay the expenses of two knights. The bailiffs of Newcastle claimed that nobody could be spared, due to the need to guard the town.<sup>117</sup> In August, when the writs were sent out, Northumberland was recovering from the recent Scottish invasion, an invasion which had ended in humiliation for a tearful young Edward III at Weardale. By the time parliament gathered in mid-September, the Scots had invaded again, and alarmingly, they mounted a serious effort to capture Norham, Alnwick and Warkworth castles.<sup>118</sup> In these circumstances, Northumbrian landowners would have been expected to attend to the defence of the march, as the return for Newcastle suggests; so it is rather odd that the county court of Northumberland - for we may reasonably assume that the sheriff's return reflected the deliberations of this court, and was not just an excuse made up by the sheriff himself - chose to plead poverty rather than military necessity. In fact, Scottish raiding is unlikely ever to have been so utterly devastating that the county could not actually afford to pay a few pounds for anyone to go to parliament, but it would certainly have rendered the collection of the requisite money very much more troublesome. In these circumstances, the usual parliamentary candidates may have been somewhat loath to put themselves forward, knowing that the payment of their expenses might prove problematic. A further disincentive to election was that those elected might well return from parliament to discover that their homes had been

<sup>117</sup> 'Communitas Comitatus Northumbr' sic respondet quod ipsi per inimicos Scocie adeo sunt destructi quod non habent unde solvere expensas duobus militibus profecturis ad tractatum et consilium apud Lincolniam tendendum. Ballivi libertatis ville Novi Castri super Tynam sic respondent quod ipsi tantum onerantur circa salvam custodiam ville predicte quod nemine possunt de dicta villa carere. Ideo executio istius brevis ad presens fieri non potest' (*Return of the Name of Every Member of the Lower House*, i, 79).

<sup>118</sup> *Historical Papers and Letters from the Northern Registers*, ed. J. Raine, RS 61 (1873), pp. 344-5; *Anonimale Chronicle 1307-1334*, ed. Childs & Taylor, p. 138; Bridlington, p. 97; Ranald Nicholson, 'The last Campaign of Robert Bruce', *EHR* lxxvii (1962).

burned down by the Scots in their absence, a threat which remained a real possibility throughout the century. An apposite example is provided by Walsingham, who relates that in 1399, the Scots - with their natural malice, arrogance and treachery - took advantage of the absence at parliament of the local magnates (*patrie magnates*) to sack the castle of Wark-on-Tweed. The castle was held by Sir Thomas Gray, who was away playing a prominent role in the momentous events at Westminster, as one of the representatives for the county, 'for the good of his fellows' (*pro commoditate gentis sue* - as Walsingham put it). Gray subsequently complained that he had been plundered of goods worth 2000 marks, and that his children and people had been ransomed for £1000.<sup>119</sup>

However, it was not only Scottish aggression which impeded Northumbrian elections. The 'men of the county' again declined to return any representatives to the parliament of September 1332, on the grounds that 'they greatly feared that the peace between the kingdoms of England and Scotland will be broken by certain Scots'.<sup>120</sup> In fact, this excuse was somewhat disingenuous, for the *Scocie* referred to can only have been Edward de Balliol and his supporters, most of whom were the English 'Disinherited'; and in the event, by the time that parliament met, Balliol had won his overwhelming victory at Dupplin Moor. On other occasions, the failure of the county to elect any parliamentary representatives was due to nothing more than bureaucratic ineptitude. For the parliament summoned at London on 20 October 1324, the sheriff, Gilbert de Burghdon, returned the writ stating that he had only received it from the hands of one Gilbert de Sheffield on the 15th, and therefore he had been unable to act on it, due to shortness of time. Whilst this sounds like a somewhat lame excuse, it may well have been true, inasmuch as the truce with the Scots had then been in effect, and holding, for two years; so there was no particular reason why Northumberland

<sup>119</sup> 'Annales Ricardi Secundi et Henrici Quarti, Regum Anglie', *Johannis de Trokelowe et Henrici de Blaneфорde Chronica et Annales*, ed. H.T. Riley, RS 28 (1866), pp. 320-1; CDS, iv, no. 542; *Commons*, iii, 224.

<sup>120</sup> 'Willielmus de Tyndale, vicecomes Northumbrie sic respondit. Quia homines tam Comitatus Northumbrie quam ville Novi Castri super Tynam multum timent quod pax inter regna Anglie et Scocie per quosdam Scocie infringetur, propter quod ipsi se elongare ad presens commode non poterunt: Ideo predicti homines nullos milites seu burgenses pro instanti Parlamento curant eligere.' (*The Return of the Name of Every Member of the Lower House*, i, 99).

should have sought to avoid sending any representatives - certainly, two Northumbrians had been sent to the parliament at Westminster in the previous February.<sup>121</sup>

During Edward II's unfortunate reign, there were many parliaments for which no returns for Northumbrian elections survive; and there is undoubtedly a close correlation between these missing returns and periods of severe Scottish raiding. Whilst any argument *ab silentio* can only ever be speculative, it would appear that no elections were ever held in Northumberland for many of these parliaments. That the crown considered war to be an acceptable excuse for absence from parliament is suggested by parallels with Ireland, where magnates were customarily fined for non-attendance at Irish assemblies. Several Irish magnates were able to obtain pardons for such fines in the 1330s, 'propter guerram Hibernicorum'.<sup>122</sup> Even when the fortunes of war and the vagaries of bureaucracy did permit elections to be held, the selection of knights of the shire was nevertheless still subject to the demands of military service - though not necessarily directly in relation to the defence of the county itself. The names of Sir John de Vaus and Sir Roger Corbet were returned to represent Northumberland in the parliament summoned for 30 May 1306, in response to a writ of 5 April. Yet soon afterwards, the sheriff (John de Sheffield) wrote to the treasurer that, with the assent of the county, he was sending John de Dudden, the sub-escheator, instead of Corbet, who was on the king's service in Scotland. In the event, de Vaus was also required in the north, *occasione guerre*, and Northumberland was represented by Dudden and William de Denum.<sup>123</sup> Dudden had already served as

<sup>121</sup> *Parl. Writs*, II, ii, 322. Sheffield's alleged tardiness is not unique; a similar excuse was offered by archbishop Milo of Armagh for his failure to act on a writ summoning him to a council at Dublin in 1370 (*Parliaments of Mediaeval Ireland*, ed. Richardson & Sayles, i, 29-30). The potential for long delay in the delivery of writs from Chancery is discussed by James F. Willard, 'The Dating and Delivery of Letters Patent and Writs in the Fourteenth Century', *Bulletin of the Institute of Historical Research*, x (1932-3).

<sup>122</sup> *Parliaments and Councils of Mediaeval Ireland*, ed. H.G. Richardson & G.O. Sayles (Irish Record Commission, 1947), i, 6-7, 11-12. I have to thank Professor Robin Frame for drawing this comparison to my attention.

<sup>123</sup> *Parl. Writs*, I, i, 172 (note that Palgrave names Northumberland's representatives as Dudden and William de *Devon*, but this is clearly a mis-reading for Denum - cf. Hodgson, *Northumb.*, II, ii, 15); SC 1/31/12 (partially calendared in *CDS*, v, no. 429). It was on this occasion that Sheffield took the

subescheator for the county in 1294, and more recently as a tax collector, in association with de Vaus.<sup>124</sup> Denum does not appear to have been prominent in royal service before this, but went on to serve on many crown judicial commissions, and in a petition of *circa* 1321, was described as an 'homme de lei'.<sup>125</sup> In May 1306, however, Northumberland was not under imminent threat of attack by the Scots, and Corbet and de Vaus can hardly have been required for its defence; rather, it is likely that both were recruited for Aymer de Valence's expedition against the newly crowned Robert Bruce, leading to the English victory at Methven on 19 June.<sup>126</sup> Certainly, de Vaus, at least, was not averse to serving as knight of the shire, for he was elected again to the parliament at Carlisle in January 1307.

After Bannockburn, it might be supposed that the county court would be somewhat reluctant to spare anyone from its military elite to go parliament, even during times of truce. Certainly, John de Yerdhill (elected to at least four parliaments between 1320 and 1324) does not appear to have been an active soldier; he is not, for instance, named in the 1324 return of knights and men-at-arms for Northumberland, though all his lands seem to have been within the county. On the other hand, William de Heselrigg, elected in 1320 and 1321, did enjoy a rather more active military career, serving with John de Lilleburn in the defence of the marches in 1319, at royal expense (although he too was not listed as a man-at-arms in 1324).<sup>127</sup> Similarly, when John de

opportunity to complain about his dispute with the archbishop of Canterbury, in which he hoped for Bishop Bek's intercession (above, p. 63).

<sup>124</sup> *CFR 1327-37*, p. 40; *CPR 1292-1301*, p. 611; *CPR 1301-07*, p. 15.

<sup>125</sup> *Northumb. Pets*, pp. 115-16; and see e.g., *CPR 1307-13*, p. 475; *CPR 1313-17*, pp. 309, 316, 597, 687.

<sup>126</sup> Valence's expedition is described by Michael Prestwich, *Edward I* (London, 1988), pp. 506-7; McNamee, *The Wars of the Bruces*, pp. 29-31.

<sup>127</sup> E 101/15/26. The exact identity of William de Heselrigg is something of a mystery; a William de Hesilrig was granted land in Bedlingtonshire by the bishop of Durham in March 1316 (*RPD*, ii, 1295; *CPR 1313-17*, p. 566), but this may be the same William de Heselrig who died at about this time (*CDS*, iii, no. 633; J. Crawford Hodgson, 'On the Medieval Owners of Eslington', *AA*, 3rd ser., vi (1910), p. 12). The returns of 1324 do name Simon and John de Heselrig as men-at-arms (*Parl. Writs*, II, ii, 649; John was son and heir of the deceased William - *CDS*, iii, no. 633), but there was apparently more than one family with this surname in Northumberland at the time (Blair, 'MPs for Northumberland (1258-1327)', pp. 171-2).



Vaus went to the parliament at Lincoln in July 1316, Northumberland's military situation was far worse than it had been in 1306, when it had been deemed necessary to send a substitute in his stead, *occasione guerre*. For the York parliament of May 1322, Yerdhill was accompanied by Sir Robert de Raymes, whose impressive military record stretched back to 1297.<sup>128</sup> Indeed, for this parliament, Raymes' military experience would have been of particular relevance, for as well as dealing with Edward's triumphalist reassertion of royal authority in the wake of Boroughbridge, arrangements were made for the forthcoming royal expedition to Scotland.

In fact, the elections of Heselrigg and Yerdhill in 1320 and 1321 had more to do with factional politics within Northumberland than with the military situation. The rebellious activities of prominent Northumbrian knights, such as John de Eure, John de Lilleburne and William de Sweethope, created enmities within the county which would have been slow to heal, as several of them retained their lands, and thus their influence in county society. A pertinent example is provided by Roger Mauduit, pardoned in May 1318, for holding Horton peel against the king,<sup>129</sup> whose father had represented Northumberland in at least five parliaments (from 1297 to 1313), and who went on to represent the county himself at four more (1330 to 1334). In these circumstances, meetings of the county court must have been somewhat fraught, and it would have been difficult to reach any consensus over parliamentary representation. In all probability, the election of Heselrigg and Yerdhill was dictated precisely by their minor standing, a lack of status which would have rendered them acceptable - or at least less unacceptable - to all factions.<sup>130</sup>

The threat of war lay more clearly behind the election of the Northumbrian chancery clerks, William de Emeldon and David de Wollore, and the lawyer, Hugh de Sadlingstones (men whose business would have kept them in Westminster anyway),

<sup>128</sup> *Rot. Scot.*, i, 47.

<sup>129</sup> *CPR 1317-21*, p. 141.

<sup>130</sup> John de Yerdhill was presumably related to Robert de Yerdil, an adherent of Gilbert de Middleton (Robert was pardoned for his rebellion in March 1325 - *CPR 1324-7*, p. 111); and to Walter Yerdhill, pardoned as a Lancastrian adherent in November 1318 (*CPR 1317-21*, p. 230). However, John seems to have spent much of his time looking out for Northumbrian interests at the Exchequer (*Northumb. Pets*, p. 188), which would have kept him safely out of the way of local factional rivalry, as well as making him all the more suitable to represent the same interests at parliament.

to the parliaments of 1337 to 1339; by this time, Edward's attention had turned to France, and the Scots were taking full advantage of the respite thus offered them.<sup>131</sup> Similarly, it was undoubtedly the imminently expected Scottish invasion which led to the election of two nonentities, Alan de Hepscotts and Edmund de Denny, to the parliament of September 1346. The former was an insignificant figure who held some minor property at Hepscott, near Morpeth, while Denny was even more obscure, with no apparent Northumbrian connections at all.<sup>132</sup> The defence of the march would hardly have been compromised by the absence at Westminster of any of these men. Similarly, at the Cambridge parliament of September 1388, in the aftermath of the English defeat at Otterburn in August, Northumberland was represented only by the solitary John de Mitford, another knight of the shire who was a lawyer and man of affairs, and not a warrior. Presumably, no-one else could be spared. Certainly, prominent northern magnates such as Henry Percy, John de Neville and the bishop of Durham were ordered to remain in the Marches, instead of attending this parliament.<sup>133</sup>

Generally however, after the spectacular English victory at Halidon Hill, the Scottish wars seem to have had comparatively little influence on the election of Northumberland's knights of the shire. Even before then, the Northumbrian gentry seem to have been far from reluctant to combine military and parliamentary careers. John de Burghdon, who had the misfortune to be amongst the handful of English casualties at Dupplin Moor, had previously been elected to parliament;<sup>134</sup> and the

<sup>131</sup> The careers of Emeldon and Wooler are outlined in B. Wilkinson, *The Chancery under Edward III* (Manchester, 1929), pp. 162, 164-5; Sadlingstones is identified as a lawyer by K.L. Wood-Legh, 'Sheriffs, Lawyers and Belted Knights in the Parliaments of Edward III', *EHR* xlii (1931), p. 380. The election of the two chancery clerks certainly does not provide 'perhaps the most striking piece of evidence' that 'a seat in the commons ... had not always been [desirable]', as argued by H.G. Richardson, 'The Commons and Medieval Politics', *TRHS*, 4th ser., xxviii (1946), pp. 38-9.

<sup>132</sup> *Feet of Fines, Northumberland, 1273-1346*, no. 292; Blair, 'MPs for Northumberland (1258-1327)', p. 43. Blair identified Hepscotts with the clerk and canon of Alnwick Abbey of that name, but as the election of a canon as a knight of the shire would have been somewhat irregular, the minor landowner is a more likely candidate (though he does appear to have related to the canon - *Feet of Fines*, no. 292).

<sup>133</sup> *CCR 1385-9*, p. 656; *CCR 1385-9*, p. 604.

<sup>134</sup> Above, p. 58.

expedition of the Disinherited was not born of dire military necessity, nor was it made up of unwilling conscripts. Gerard de Widdrington served in Scotland in 1334-5, and again in 1337; in between, he was elected to parliament, along with Walter de Creyk, who had just served as constable of Bamburgh and who also served in Scotland in 1335, 1336 and 1337. Both went on to fight at Neville's Cross, while Widdrington fought in numerous expeditions to France.<sup>135</sup> Gerard's brother Roger, who also fought at Neville's Cross, was elected to the parliaments of 1348 and 1351; and he went on to fight in France in the expedition of 1359.<sup>136</sup> Henry de Haverington represented Northumberland in the parliament which met at Westminster on 23 April 1341, but on 24 May, three days before the parliament dispersed, he took out letters of protection for service in Roxburgh with William de Felton, who had himself served in parliament in the previous year.<sup>137</sup> Even during the mid-1380s, a period of prolonged military crisis leading up to the defeat at Otterburn, Northumberland's shire knights included such men as Sir Bertram Monboucher and Sir Thomas de Umfraville, both of whom played a leading role in the defence of the march. Similarly, David Holgrave, an erstwhile *routier* from Cheshire who had retired to Northumberland, represented the county in the parliaments of 1382 and 1383, before being taken prisoner at Otterburn.<sup>138</sup> Holgrave had made his career and fortune fighting on the Continent, and as the military careers of the Widdrington brothers suggest, some Northumbrian elections were influenced more by the demands of the war in France than by any threat from Scotland. The election of Richard de Horsley and Robert Wendout to the parliament of May 1360 is a case in point; the writ specifically ordered the election of *milites*; but neither Horsley nor Wendout was a knight, and the sheriff (Henry del Strother, who was also not a knight) wrote that there had been no knights in the

<sup>135</sup> CDS, v, nos. 3365, 3404, 3559; CFR 1327-37, p. 417; E 101/19/36, m. 3; E 101/20/17, m. 7; Rot. Scot., i, 678. Widdrington's extensive military career is outlined in Andrew Ayton, 'Edward III and the English Aristocracy at the Beginning of the Hundred Years War', *Armies, Chivalry and Warfare in Medieval Britain and France. Proceedings of the 1995 Harlaxton Symposium*, ed. Matthew Strickland (Stamford, 1998), p. 174.

<sup>136</sup> Rot. Scot., i, 678; Fædera, III, i, 443.

<sup>137</sup> CDS, v, no. 3722.

<sup>138</sup> Commons, iii, 755-6; iv, 686-8. Holgrave was granted 200 marks towards his ransom by the king (E 403/521, mm. 1, 3).

county when the writ arrived, except for Walter de Tyndale, who he described as 'feeble and unfit for work'.<sup>139</sup> This was obviously an exaggeration, for there were plenty of knights who held land in Northumberland; but at this time, at least four of them were serving with the Black Prince in his *chevauchée* through Aquitaine.<sup>140</sup> Given existing military commitments on the Scottish borders, this would have left few spare for Westminster.<sup>141</sup>

As the career of John de Coupland suggests, the Northumbrian gentry appear to have been just as anxious to obtain crown office, as the crown was to employ them. Nor do they appear to have been deterred by the routine difficulties of juggling military and administrative duties, typified by the experiences of John de Fenwick. Of course, it was hardly unusual to combine a military career with one in local crown administration in fourteenth-century England; Thomas Wake, a knight of the royal household, even managed to retain his office of sheriff of Northamptonshire whilst serving with the king in Flanders in 1340.<sup>142</sup> What *was* unusual was that the marchers had little choice in combining military and civilian careers, and, moreover, could do so without having to leave their homes. In the marches, such combined careers were thus the norm. It has been written that in most of England, 'strong commitments to county society ... could restrict heads of gentry families to serving only occasionally';<sup>143</sup> but in Northumberland, by contrast, 'strong commitments to county society' necessarily entailed regular military service. This led to a marked degree of

<sup>139</sup> 'Non fuerunt aliqui Milites in comitatu meo postquam breve istud mihi venit praeterquam Walterus de Tyndale, qui languidus est et impotens ad laborandum', Wood-Legh, 'Sheriffs, Lawyers and Belted Knights', p. 383.

<sup>140</sup> Thomas Gray, Roger de Widdrington, Bertram Monboucher and Thomas Mauduyt (*Fædera*, III, i, 443) - of whom Widdrington had already twice attended parliament, and Monboucher would do in the future.

<sup>141</sup> Michael Powicke, *Military Obligation in Medieval England* (Oxford, 1962), p. 175; Clifford J. Rogers, *War Cruel and Sharp. English Strategy under Edward III, 1327-60* (Woodbridge, 2000), p. 401n.

<sup>142</sup> Ormrod, *The Reign of Edward III*, p. 151.

<sup>143</sup> Andrew Ayton, *Knights and Warhorses. Military Service and the English Aristocracy under Edward III* (2nd edn, Woodbridge, 1999), p. 162; cf. Saul *Knights and Esquires*, pp. 52-9.

continuation of office-holding by successive generations of the same families, much more so than in some other parts of the country.<sup>144</sup> In Gloucestershire, for instance, ‘there was little continuity of service from one generation to the next’, and members of only two families ‘are found holding the main offices of the shire generation after generation’;<sup>145</sup> but in Northumberland, there are cases of families serving throughout the fourteenth-century. William Heron served as sheriff of the county from 1246 to 1258, thereby attracting the opprobrium of Matthew Paris (not, admittedly, an especially difficult feat);<sup>146</sup> one and a half centuries later, in 1400, his great-great-great-great-grandson, Gerard Heron, served in the same office (albeit, Gerard came from a collateral line of the family). Between these dates, his son, three great-great-grandsons and another great-great-great-great-grandson served as either sheriffs or knights of the shire, whilst other Herons were prominent in numerous crown commissions.<sup>147</sup> Almost as impressive are the four members of three different generations of the Widdrington family who served as knight of the shire between 1294 and 1403.<sup>148</sup> Sir Ralph de Eure, who represented the county in the parliaments of November 1380 and September 1381, was the great-grandson of Sir John de Eure,

<sup>144</sup> But cf. the differing interpretation of Tuck, ‘The Percies and the Community of Northumberland’, pp. 184-5.

<sup>145</sup> Saul, *Knights and Esquires*, p. 161.

<sup>146</sup> Speaking ill of the dead, Matthew commented that Heron was ‘a most avaricious man, a hammer of the poor and a persecutor of monks’, adding that he was now in Hell, experiencing an infernal thirst to match his previous thirst for worldly wealth (*Chronica Majora*, ed. H.R. Luard, RS 57 (6 vols, 1872-82), v, 663).

<sup>147</sup> William Heron (son), MP, 1290; William Heron (great-great-grandson) MP, 1371; John Heron (the latter’s brother), sheriff, 1360-1, 1383-4, MP, 1379; Walter Heron (another brother), MP, 1382 and William Heron (great-great-great-great-grandson) MP, 1385; Gerard also served as MP 6 times between 1391 and 1402 (*Commons*, iii, 353-6). For the descent of the Herons, see *Families*, ii, 41-4, 46, 77-9. It should be noted that Hunter Blair conflates two different William Herons in his account of Northumberland’s knights of the shire (‘MPs for Northumberland (1327-1399)’, pp. 54-5, 74) - an easy mistake to make, given the complexity of the family’s descent.

<sup>148</sup> Gerard de Widdrington in 1294; Gerard de Widdrington (his grandson) in 1336; Roger de Widdrington (Gerard’s brother and heir) in 1348, 1351, 1361, 1362 and 1368; and John de Widdrington (Roger’s son) in 1403. Roger and John both also served as sheriff, in 1361-2 and 1410-11 respectively (for the descent of Widdringtons, see *Families*, ii, 103).

who was elected in October 1307.<sup>149</sup> Sir Roger Mauduit was returned to at least five parliaments, between 1297 and 1313, a record which was almost equalled by his son, another Roger, who was elected at least four times, between 1330 and 1334. There were other families who rose to prominence only as a result of the outbreak of war, yet, by the end of the fourteenth-century, could boast similar records of service - such as the Feltons, Fenwicks and de Raymes'. Similarly, between 1318 and 1401, three generations of Thomas Grays, father, son and grandson, served the bishops of Durham as sheriffs of Northumberland and constable of Norham castle.<sup>150</sup> And these same families were no less pre-eminent in the defence of the marches.

<sup>149</sup> *Families*, i, 187. Ralph subsequently represented Yorkshire in the parliaments of 1393, 1397 and 1399.

<sup>150</sup> Blair, 'Sheriffs of Northumberland', pp. 79-80, 82. Gerard Heron and his father also both served in this capacity.

## MILITARY SERVICE

### Service and Obligation

The sheer force of geography - both physical and political - ensured that the Northumbrian gentry were inevitably heavily involved in the Scottish wars right from very the beginning, as the Scottish raid on Presson in March 1296 clearly demonstrated. Of course, Edward I was not slow to take the war into Scotland, and naturally, many Northumbrians served there with him. In June 1297, for instance, Thomas Gray was serving in Scotland with John de Warrenne. However, Gray, coming from a family with holdings on both sides of the border, and which was split down the middle by the outbreak of war, had something of an interest in Scottish affairs. By contrast, Robert de Raymes, who served alongside Gray in Warrenne's retinue, had only settled in Northumberland shortly before 1296 - in one of the most spectacularly ill-timed land deals in English history - and had no interests in Scotland whatsoever.<sup>1</sup> The army which defeated the Scots at Falkirk in 1298 numbered many Northumbrian men-at-arms amongst its ranks; and after the victory, Edward is reported to have garrisoned Stirling castle with Northumbrian knights. Gilbert de Umfraville, earl of Angus, led a contingent of this royal army which included Sir Luke de Tailboys, John de Widdrington and Robert, William and Hugh de Lisle; Thomas Gray and Robert de Raymes were both present; as were Sir Hugh and Walter Delaval, Sir Roger Mauduit and Sir John de Eure (amongst other Northumbrians).<sup>2</sup> These were

<sup>1</sup> *Rot. Scot.*, i, 47; King, 'Englishmen, Scots and Marchers', pp. 218-19. The Raymes' were a knightly family from Suffolk who had turned to trade. Hugh de Raymes used the profits of this trade to acquire - at considerable expense - a moiety of the Northumbrian barony of Bolam, in 1293-5. Following Hugh's death, his son, the unfortunate Robert, was granted seisin of the estate in 1296, just in time for William Wallace to devastate the whole area (Philip Dixon, *Aydon Castle* (London, 1988), pp. 7-9; A.L. Raimes, 'Shortflatt Tower and its Owners', *AA*, 4th ser., xxxii (1954), pp. 129-31).

<sup>2</sup> *Scotland in 1298. Documents Relating to the Campaign of Edward the First in that Year, and especially to the Battle of Falkirk*, ed. H. Gough (Paisley, 1888), pp. 28, 30-1, 39, 44, 214; *Rishanger*,

all men whose sons, nephews and grandsons would go on to make successful and profitable military careers on the Marches and, in some cases, in France.

Nevertheless, Edward I's demands that Northumberland should provide men for military service in Scotland did provoke controversy - as elsewhere in the realm. In the winter of 1302, when Edward was preparing for renewed fighting against the Scots after the expiry of a truce, he ordered a commission to be sent to Walter de Huntercombe (a baron who held lands in Northumberland, and had been appointed keeper of the march for the county in July), to bring 'les gentz de Norhumbrelande' to Scotland, whenever they were required. It would appear that the king anticipated opposition to this demand, which he tried to pre-empt by stressing that this would be not be held as a precedent. This assurance, however, evidently failed to appease the Northumbrians, for he was obliged to send his treasurer, the notorious Walter Langton, to negotiate with the 'barouns, chivalers et autres prodes hommes et tote le communaulte del conte de Northumberland'. A meeting was held at the village of Felton on 20 December, where it was agreed that the men of the county would muster at Wark on Tweed on the 27th, with food for a fortnight, ready to serve with John de Segrave, the king's lieutenant in Scotland. The *gentz a chival* were to serve beyond the Tweed at their own expense for eight days, after which they were to receive pay; the foot, however, were to be paid as soon as they crossed the river. The agreement - along with an assurance that it would not stand as a precedent - was confirmed by royal letters patent on 3 January.<sup>3</sup> Nor did this cease to be an issue in the reign of his son. As late as February 1311, the 'community of the county of Northumberland' was fined £100 for failing to send men-at-arms and foot to a muster, for service with Edward II in Scotland during the ineffectual campaign he had launched in September 1310 - although the recalcitrance of the Northumbrians may well have had as much to do with the tension between the king and the Ordainers, as with any reluctance to

*Cronica et Annales*, ed. Riley, p. 388.

<sup>3</sup> Stevenson, *Docs*, ii, 181-2; *Parl. Writs*, I, i, 369; *CPR 1301-7*, p. 101. The document printed by Stevenson was dated by him to 1297, but should be dated to late 1302 (M.L. Boyle, 'The Early History of the Wardens of the Marches of England towards Scotland, 1296-1377', unpublished MA Thesis, Hull University (1980), p. 39n.). For Edward's preparations generally, see Watson, *Under the Hammer*, pp. 165-9.



serve in Scotland *per se*.<sup>4</sup> Nevertheless, this situation soon changed, for although Northumberland had been comparatively little troubled by Scottish raiding during Edward I's reign (apart from William Wallace's invasions of 1296-7), the county had already started to suffer from renewed raiding even before the failure of the campaign of 1310-11; and whilst there may have been some opposition to serving the king beyond the borders in Scotland, there was less doubting the general obligation to defend the realm against invasion, particularly of those who held their land by knight service. Nor did the crown fail to remind its tenants-in-chief of this duty. Throughout the fourteenth century, the crown repeatedly ordered that those lords who held lands in the marches should remain there in order to defend them. For instance, in April 1301, 'the barons, knights and others of Northumberland' were ordered to stay in the marches, as Edward I affected not to know how the negotiations for the renewal of the existing truce with Scotland would turn out - though the fact that he had already issued orders for purveyance for a campaign, even before the negotiations started, suggests that he may well have had some inkling.<sup>5</sup> Before making his abortive attempt to persuade his fellow Northumbrians to go to Scotland, Walter de Huntercombe had received a writ countermanding his summons to the parliament of October 1302, and ordering him not to depart from the marches.<sup>6</sup> Again, in January 1315, following the catastrophe of Bannockburn, the archbishop of York, bishop of Durham and various northern lords (including John de Clavering and Robert de Hilton) were ordered to remain in the marches instead of attending parliament.<sup>7</sup> Such mandates continued to be issued on a regular basis well into the reign of Richard II. In March 1380, despite a nominal truce with the Scots, Henry Percy and Ralph, Lord Greystoke, were ordered

<sup>4</sup> E 101/374/6, f. 2; McNamee, *Wars of the Bruces*, pp. 52-3. By no means everyone in the county was unwilling to serve on Edward's expedition: Robert de Umfraville, earl of Angus, obtained letters of protection for his retinue for service with the king in April and May 1311; his men included several prominent Northumbrians, such as Gilbert and Walter de Burghdon, Robert de Eslington, John de Halton, John de Lisle of Woodburn, Robert de Lisle of Chipchase and Robert de Raymes (*CDS*, v, nos. 2844, 2870; *CCW 1244-1326*, pp. 351, 362).

<sup>5</sup> *CPR 1292-1301*, p. 587; Watson, *Under the Hammer*, pp. 114-19.

<sup>6</sup> *CCR 1296-1302*, p. 599. Similar writs were sent to John de Segrave, Alexander de Balliol, Edmund de Hastings and William le Latimer.

<sup>7</sup> *CCR 1313-18*, p. 205. A meeting of the county court of Northumberland declined to send any representatives to the same parliament on the grounds that none could be spared (above, pp. 64-5).

to compel all laymen who held lands worth 100 marks or more in Northumberland and the liberty of Durham to remain on these lands, on pain of distraint and imprisonment; and to ensure that all castles and fortalices within twelve miles of the border were suitably garrisoned. Nor did this assessment of the state of the truce prove unduly pessimistic, for just three months later, Greystoke was captured at Horse Rigg, Glendale, by a Scottish raiding party led by the earl of March.<sup>8</sup>

This was not merely a duty imposed from above by the crown; the political community of Northumberland was equally anxious to ensure that local magnates took their fair share of the military burden. In the parliament of 1386, the commons petitioned that ‘pur salvation du Roiaume, et especialment de Countes d’Everwyk, Northumbr’, Cumbr’, et Westmerl’, et les Pays environ’, the *seigneurs* of these counties should be ordered to remain in them with their retinues, ‘sur grant peine et forfaiture, saunz nulle excusation faire, pur contrestre et resister ove lour poair la sodeyne venue et l’arivall des Enemys si bien de France come d’Escoce’. Northumberland was represented at this parliament by Bertram Monboucher and Robert de Claving. Monboucher had already served three terms as sheriff, and both had extensive military experience, on the marches and in France; and there can be little doubt that they were elected so as to ensure that the military concerns of the county would be voiced at Westminster.<sup>9</sup> Those who were unfit to serve in person were expected to contribute towards the expenses of those who did; from July 1359, wardens of the march were empowered to imprison the wealthy men (*divites*) of the county who were too weak to serve and who did not so contribute, and to seize their goods.<sup>10</sup> In fact, though repeated with a monotonous regularity, the threat of forfeiture appears to have been an empty one. At any rate, there are no recorded cases of any landowner actually being deprived of his lands specifically for failing to turn out against the Scots. On the other hand, of the many Northumbrians who forfeited their lands as adherents of the Scots in the decade following Bannockburn, some may have

<sup>8</sup> *CPR 1377-81*, p. 455; *Newminster Cartulary*, ed. J.T. Fowler, SS lxvi (1876), p. 298; Bower, vii, 397; Wyntoun, vi, 290-3; Macdonald, *Border Bloodshed*, pp. 61-2.

<sup>9</sup> *Rot. Parl.*, iii, 223; *The Controversy between Sir Richard Scrope and Sir Robert Grosvenor*, ed. N.H. Nicholas (2 vols, London, 1832), i, 167, 168-9.

<sup>10</sup> *Rot. Scot.*, i, 839.

done nothing more than to abandon the thankless task of trying to defend the county; and in areas such as Tynedale, which was virtually overrun between 1315 and 1319, it would not have been easy for the English crown to differentiate between those who actively supported the Scots and those who simply failed to put up any resistance to them.

Nevertheless, and despite the repeated injunctions of the crown, when Scottish raiding began to have a serious impact on Northumberland after 1310, it soon became abundantly clear that the traditional obligation to defend the realm from invasion was not an adequate means of raising the forces necessary to defend against these raids. Although men could be - and frequently were - arrayed in the face of a threatened Scottish invasion, unpaid men could not be kept arrayed indefinitely. Yet, after Bannockburn, the threat of Scottish invasion was constant. Furthermore, Scottish raiding parties moved very rapidly, as Jean le Bel was famously able to observe for himself in 1327, and despite the employment of spies, it was not always possible to gain adequate warning of their imminent descent.<sup>11</sup> At the same time, the mobilising of Northumberland's manpower was hampered by the social disruption wrought in the county by the wholesale forfeitures of cross-border magnates during the reign of Edward I, further exacerbated by those twin scourges of the landowning-classes, long minorities and failures in the male line. Walter de Huntercombe, who held moieties of the baronies of Wooler and Bolbec, had played a leading role in mobilising the county's war effort on behalf of Edward I; but much of his land was held only by right of his wife, and on his death without issue in May 1313, his sister's son came into a much reduced estate. Encumbered with debt, he was unable to take over his uncle's leadership of the Northumbrian military community.<sup>12</sup> Nor was the situation improved by the political squabbling of Edward II's reign, which saw Thomas of Lancaster devoting the resources of his barony of Embleton entirely towards the fulfillment of his national political aims, to the obvious detriment of the defence of the March. An already woeful situation was only made worse by the rebellion of Gilbert de Middleton, which further undermined the social networks which were necessary for

<sup>11</sup> For the employment of spies, see *e.g.*, DCD, Bursar's Account, 1317-18; *Rot. Scot.*, i, 674.

<sup>12</sup> *CIPM*, v, no. 403; *NCH*, xi, *passim*. Walter had also held manors in Bedfordshire, Oxfordshire and Cambridgeshire.

the efficient enforcement of military obligation. In the absence of effective local magnate leadership, the whole process of summoning and arraying men simply took too long to offer any effective defence against a sudden incursion; by the time adequate forces could be assembled, the raiders would have been and gone, leaving a trail of devastation behind them.<sup>13</sup> Any form of effective defence therefore required men to be permanently arrayed; and the only way to keep men in permanent array was to pay them.

Permanent forces were also needed to garrison castles. These castle garrisons had a vital role to perform in the defence of the marches, well beyond the mere guarding of the fortifications in which they were based. It was a force drawn from the garrisons of Alnwick, Bamburgh and Warkworth which captured the peels (*piles*) at Bolton and Whittingham, being held against the king by Roger Purveys, 'vne de greniour mefesores de la Marche', at some after point after the robbery of the Cardinals.<sup>14</sup> This role is made clear in a rather more negative fashion by the heavily sarcastic draft of a letter from Edward II to the constables of Bamburgh, Warkworth, Dunstanburgh and Alnwick in September 1322. After informing each of them, 'as they might well know', that a small force of Scots was ravaging the March, he berated them for allowing the Scots to get away, 'without challenge or damage from the garrisons, to the constable's dishonour and shame, as he had a stronger force and should have secured the safety of the March, which the king has spent so much in strengthening'. Shortly after this, the king's priorities were changed by the irruption of a large Scottish force into north Yorkshire. Roger Mauduit, the joint keeper of Dunstanburgh (and one of the targets of Edward's ire), was ordered to bring his retinue of eighteen men-at-arms and seventy-seven hobelars from the garrison to the king's aid; they arrived in time for the ignominious defeat inflicted on the English at Old Byland on 14 October.<sup>15</sup> Castle garrisons were thus used extensively as forces in the field, the castle providing a secure base for their operations.

<sup>13</sup> McNamee, *Wars of the Bruces*, pp. 76-7, 147.

<sup>14</sup> *Northumb. Pets*, p. 27. The action is recorded in a petition from David de Langton and Thomas de Heton, requesting that Purveys be hanged and drawn; both Langton and Heton were serving in the garrison of Bamburgh in September 1319 (E 101/378/4, f. 14).

<sup>15</sup> CDS iii, no. 783; BL, Stowe MS 553, f. 56v.

Again, however, traditional obligations for providing for the garrisoning of castles soon proved insufficient. Although Northumbrian tenants-in-chief usually owed a service of castle-guard, at the royal castles of Newcastle or Bamburgh, these services had been universally commuted for cash payments long before the fourteenth century. This appears to have been equally true where sub-tenants owed such services at baronial castles.<sup>16</sup> However, even had they been maintained, these services would hardly have proved adequate to provide for the continual garrisoning of castles on the scale necessary to meet the threat presented by the Scots after 1314. Alnwick castle, in the king's hands during the minority of the heir of Henry Percy (who died in October 1314), required a garrison of forty men-at-arms and an equal number of hobelars, under the command of the household knight, Sir John de Felton. Garrisons of this size could never have been raised through obligations of castle-guard, even when the system had been fully functional (if, indeed, it ever had); and paying such garrisons was enormously expensive: for the six months from 8 July 1315 to 3 January, Alnwick's cost the huge sum of £480, while for the period 29 September 1322 to 15 May following, Bamburgh's cost over £760.<sup>17</sup> Clearly, wages on a scale such as this were well beyond the means of most magnates.<sup>18</sup> John de Clavering was certainly in no position to afford such garrisons for his important castle at Warkworth, as he was already in financial difficulties by November 1311, when he granted the reversion of most of his estate to the king, including all of his Northumbrian lands (nor can these difficulties have been helped by the ransom he had to pay after his capture at Bannockburn). On a smaller scale, the minor Northumbrian landowner - and erstwhile

<sup>16</sup> Thus in 1311, Robert de Eslington owed half a mark *per annum* from his lands in Framlington held of Roger Bertram, for guard of Bertram's castle at Mitford (*CIPM*, v, no. 294); and in 1327, Robert Delaval owed the same for the guard of Alnwick, for the half of a knight's fee which he held at Biddlestone of the barony of Alnwick (*CIPM*, vi, no. 607).

<sup>17</sup> E 101/376/7, f. 62; BL, Stowe MS 553, f. 56v. (men-at-arms were paid 1s per day, hobelars 4d in 1315, 6d by 1322).

<sup>18</sup> By way of comparison, it is worth noting that Thomas of Lancaster, the richest magnate of his generation by far, spent just £21 to garrison Holt Castle in Denbighshire for a year, from Michaelmas 1319, providing just one knight (his Northumbrian retainer Sir John de Lilleburn), a sergeant and a watchman (Yorkshire Archaeological Society, MS Grantley DD 53/III/490); and this despite the fact that he had just acquired Holt from John de Warrenne by less than peaceful means, and that the Welsh Marches were in a more than usually turbulent state at the time.

Lancastrian rebel - John de Denum was unable to bear the expense of the garrison of twelve men-at-arms whom he installed in his *forterece*, Melmerby Tower in Cumberland.<sup>19</sup> Accordingly, when the earl of Arundel was appointed as *cheventayn et lieutenant* north of the Trent in November 1316, his indenture provided for the maintenance of garrisons in 'private' castles at the expense of the crown, the first time that this had been authorised on such a large and systematic scale. 115 men-at-arms and 230 hobelars were placed in six Northumbrian 'private' castles, ranging from the 45 men-at-arms and 120 hobelars placed in Robert de Umfraville's castles of Harbottle and Prudhoe, to the 10 men-at-arms and 10 hobelars in Bertram de Monboucher's peel at Horton.<sup>20</sup>

The net result of all this was that despite their duty to fight in the defence of their county without limit at their own expense, within two years after Bannockburn, Northumbrians were routinely being retained at the king's wages to serve in Northumberland. Evidence that many, and perhaps the majority, of the Northumbrian gentry did enter into paid royal service is provided by an indenture recording the agreement of September 1319, by which Sir John de Cromwell and Robert de Umfraville, earl of Angus, were retained by the king as 'gardeins de la marche de Northumberland', serving with retinues of 30 men-at-arms each, and another 140 raised by the king. In the event, the recruitment of additional men gave a total of 249 men-at-arms, including 3 barons and 35 knights; and unusually, every single one of them is listed in the indenture, conveniently arranged by retinue.<sup>21</sup> Together with the royal wardrobe accounts, this provides an unusually detailed picture of the military

<sup>19</sup> *NCH*, v, 29-30; *Northern Petitions*, ed. Fraser, p. 137; McNamee, *Wars of the Bruces*, p. 146. For Clavering's capture, see *Nicolai Triveti Annalium Continuatio*, ed. Anthony Hall (Oxford, 1722), p. 15.

<sup>20</sup> *Rot. Scot.*, i, 166-7; E 101/68/2 (39); McNamee, *Wars of the Bruces*, pp. 149-51; Boyle, 'Wardens of the Marches', pp. 93-4, 309-10. The other castles provided for were Wark, held by William de Ros of Helmsley (30 men-at-arms, 40 hobelars); Warkworth, held by John de Clavering (10 men-at-arms, 20 hobelars, under Ralph de Neville); and Mitford, held by Aymer de Valence, earl of Pembroke (20 men-at-arms, 40 hobelars, under John de Eure). At the same time, additional men were placed in the royal castle of Bamburgh, and in Alnwick, in the king's hand during the minority of the heir.

<sup>21</sup> E 101/15/26 (printed in translation by Frederick Raimes, in *Proceedings of the Society of Antiquities of Newcastle*, 3rd ser., iv (1910), pp. 20-5). The indenture is discussed by Boyle, 'Wardens of the Marches', pp. 103-4; McNamee, *Wars of the Bruces*, pp. 151-2.

activities of the Northumbrian gentry at this time - or at least, that part of it which was in royal pay. The men-at-arms were raised by twenty-seven individuals (apart from Cromwell and Umfraville), of whom twelve were Northumbrian knights.<sup>22</sup>

Altogether, of the thirty-odd knights at this time who held all (or most of) their lands in Northumberland, no less than twenty-two were in receipt of the king's two shillings. In addition, Thomas Gray was defending Norham castle for the bishops of Durham, while Bertram de Monboucher was serving with John of Brittany, the earl of Richmond. Of those knights who were not in the king's pay, John de Vaus was probably too old or infirm for military service, as he was to die before the end of 1322. However, he certainly had served in Scotland on previous occasions, such as when his career as a knight of the shire was interrupted by war service in 1306.<sup>23</sup> Others may not have been recorded in the service of the crown for the very good reason that they were actually in rebellion against it. Adam de Shitlington was presumably a relation of the John de Shitlington who forfeited his manor of Shitlington, Tynedale, in 1296, as an adherent of John Balliol; and as Adam was himself later accused of having adhered to the Scots (albeit long after the event), he may have been in their allegiance at this time.<sup>24</sup> Similarly, Roger Mauduit had been heavily implicated in the robbery of the cardinals and subsequently fought for earl Thomas at Boroughbridge; that he is not found in crown service in 1319 is therefore not altogether surprising. Robert de Swinburne had other reasons for wishing to avoid any entanglement with the crown, for he was the younger brother of Adam de Swinburne, the sheriff of Northumberland whose arrest - for speaking his mind to the king about the state of the marches - may

<sup>22</sup> See Table 1, which details all the known military service by Northumbrian knights at this period. Note that Henry de Clavering has not been counted as a Northumbrian, for although he was a younger brother of John de Clavering, lord of Warkworth, and Alan de Clavering of Callaley (*NCH*, v, 26), Henry seems to have played no part in Northumbrian society. The family held extensive estates elsewhere in England, and he presumably resided on these.

<sup>23</sup> *NCH*, iv, 202; and see above, p. 68-9. The John de Vaus who received a protection for serving against the Scots in April 1319 was probably his son (*CDS*, v. no. 3220).

<sup>24</sup> Stevenson, *Docs*, ii, 46; *CIM 1219-1307*, no. 1764; *CPR 1358-61*, p. 140. Although Adam de Shitlington was listed as a knight of the county in the returns of 1324, there is no trace of him or any descendants after this time - and for that matter, precious little before then either.

**Table 1: Military Service of Northumbrian Knights, Autumn 1319**

<b>Adam de Benton</b>	Indented to serve w. the Wardens, w. 1 m/a, 28 Sep.	E 101/15/26
<b>John de Burghdon</b>	Indented to serve w. the Wardens, w. 5 m/a's, 28 Sep.	E 101/15/26
<b>Gilbert de Burghdon</b>	Constable of Alnwick castle, serving w. 7 m/a's & 20 hobelars, frm 28 Sep.	E 101/378/4, f. 14
<b>Thomas Botecombe</b>	Indented to serve w. the earl of Angus, 28 Sep.	E 101/15/26
<b>John de Caunton</b>	Indented to serve w. the wardens, w. 1 m/a, 28 Sep.	E 101/15/26
<b>Alan de Clavering</b>	—	
<b>Robert de Clifford</b>	Serving in Northumb., w. 2 m/a's, frm 30 Sep.	E 101/378/4, f. 22v.
<b>Robert Delaval</b>	28 Sep., indented to serve w. the wardens, w. 3 m/a's	E 101/15/26
<b>Robert de Eslington</b>	28 Sep., indented to serve w. the wardens, w. 2 m/a's *	E 101/15/26
<b>John de Eure</b>	12 Jun., protection til Michaelmas, defending Mitford castle	CDS, v. no. 3231.
<b>John de Fenwick</b>	Sheriff; serving in Northumb., w. 6 m/a's & 10 hobelars, from 18 Oct.	E 101/378/4, f. 26v.
<b>Robert Gray</b>	28 Sep., indented to serve w. the wardens, w. 1 m/a	E 101/15/26
<b>Thomas Gray</b>	Constable of Norham castle	
<b>John de Halton</b>	Serving in Northumb., w. 2 m/a's, frm 30 Sep.	E 101/378/4, f. 22v.
<b>Roger Heron</b>	28 Sep., indented to serve w. the wardens, w. 5 m/a's	E 101/15/26
<b>Roger de Horsley</b>	Constable of Bamburgh castle	E 101/15/26
<b>Richard de Horsley</b>	28 Sep., indented to serve w. the wardens, w. 4 m/a's	E 101/15/26
<b>Robert de Horsley</b>	Serving in Northumb., w. 4 m/a's, from 30 Sep.	E 101/378/4, f. 22v.
<b>John de Lisle (of Woodburn)</b>	28 Sep., indented to serve w. the wardens, w. 2 m/a's	E 101/15/26
<b>Robert de Lisle</b>	28 Sep., indented to serve w. the wardens, w. 3 m/a's	E 101/15/26
<b>John de Lilleburn</b>	28 Sep., indented to serve w. the wardens, w. 6 m/a's	E 101/15/26
<b>Robert de Lucker</b>	—	
<b>Roger Mauduit</b>	—	
<b>Bertram de Monboucher</b>	12 Jul., protection, serving til Xmas w. the earl of Richmond	CDS, v, no. 3238
<b>William Ridell</b>	Constable of Barnard Castle	E 101/378/4, f. 13
<b>Nicholas Scott</b>	Indented to serve w. the earl of Angus, 28 Sep.	E 101/15/26
<b>Adam de Shitlington</b>	—	
<b>Robert de Swinburne (of West Swinburn)</b>	—	
<b>William de Swinburne (of Capheaton)</b>	28 Sep., indented to serve w. the earl of Angus	E 101/15/26
<b>John de Vaus</b>	—	
<b>John de Weston</b>	28 Sep., indented to serve w. the wardens, w. 9 m/a's	E 101/15/26

\* Note that Eslington was actually paid for three men-at-arms, one more than specified in the indenture (E 101/378/4, f. 22v.).

have prompted Gilbert de Middleton to his notorious crime in the first place.<sup>25</sup> However, such considerations do not seem to have deterred some of Middleton's

<sup>25</sup> Society of Antiquaries, MS 121, f. 12v.; *Scalacronica*, pp. 144-5. However, Robert de Swinburne may have been serving in the garrison of Alnwick castle in 1319; he was certainly serving there under Henry Percy in September 1322 (*CPR 1321-4*, p. 201).



erstwhile adherents. Astonishingly, John de Eure, one of the most prominent, was given letters of protection in July 1319 for defending Aymer de Valence's castle of Mitford - despite his having handed the same castle over to Middleton to use as his base less than two years previously.<sup>26</sup> John de Lilleburne, a fellow Lancastrian adherent, indented with the crown to serve under Umfraville and Cromwell, with six men-at-arms, on 28 September 1319; however, he may have been less than assiduous in attending to his military duties, for from 29 September, he was paid by Thomas of Lancaster for serving as the constable of Holt castle in Denbighshire, till August 1320.<sup>27</sup>

Curiously conspicuous by their absence were William and Roger de Felton, both knights of the royal household, who had previously played a prominent role in the crown's efforts to defend the Marches - though John de Felton, another household knight, was probably in Gascony at this time, having taken out letters of protection in November 1318 for service there with William Montague.<sup>28</sup> Others were rather less active in crown service; Robert de Lucker had obtained letters of protection for service in Scotland in April 1303 and April 1306, on both occasions with Robert fitz Roger.<sup>29</sup> This seems to have been his only recorded significant service to the crown during his entire life - a not inconsiderable achievement for a knight living in a war-zone in the most intensively governed country in fourteenth-century Europe. The record of Alan de Clavering, who held the manors of Callaley and Yetlington, appears to have been even less impressive; but since he was a brother of John de Clavering, the heavily indebted lord of Warkworth, it is likely that he was one of the twelve men-at-arms of the 'propre' garrison of the castle recorded at this time.

The extent of the militarisation of the Northumbrian gentry is brought home by a survey of the country's knights ordered in 1324. In May of that year, Edward II sent

<sup>26</sup> *CDS*, v. no. 3231. Eure had already been retained by Lancaster, in December 1317, and was subsequently beheaded after Boroughbridge (below, p. 202).

<sup>27</sup> Yorkshire Archaeological Society, MS Grantley DD 53/III/490. Lilleburn was presumably in Northumberland in May 1320, when he acquired some property from the impoverished William de Beanley ('Woodman Charters', tr. Craster, p. 48).

<sup>28</sup> *CPR 1317-21*, p. 247; Society of Antiquaries, MS 121, f. 62v.

<sup>29</sup> *CDS*, v, nos. 2435, 2583.

orders to his sheriffs that all knights were to be summoned to Westminster, to discuss 'certain great and serious matters', an order which was immediately followed by another for a distraint of knighthood. The sheriffs were evidently required to produce lists of the knights and men-at-arms within their counties' in response to these demands, which seem to have been intended to raise troops for an abortive Gascon campaign.<sup>30</sup> As a recruiting method, this was not a huge success; but as an aid to modern historians, the surviving returns have proved somewhat more useful, providing an obvious starting point for the examination of the county gentry of England in the early fourteenth-century.<sup>31</sup> The returns are not unproblematic: many of the parchments have deteriorated to the point of illegibility, whilst the lists they contain were not compiled to a standard set of criteria, and some individuals are named for more than one county, or are absent altogether.

Gilbert de Burghdon, the sheriff of Northumberland, returned the names of twenty-one knights and ninety-five men-at-arms.<sup>32</sup> Not surprisingly, the list is not without omissions; Gilbert de Burghdon himself was a knight, which brings the total of knights to twenty-two. The name of Gerard de Widdrington is absent for no obvious reason, for he was aged twenty-four in September 1326, and had been knighted by March 1328, yet he is listed as neither a knight nor a man-at-arms; similarly, that of Robert de Horncliffe, who served as a man-at-arms in 1319, and had been knighted by November 1328.<sup>33</sup> The absence of the unfortunate Walter de Selby (still, at this time, a man-at-arms) is, however, rather more readily explicable, for he was still languishing in the Tower of London, as a consequence of his prominent role

<sup>30</sup> *Parl. Writs*, II, ii, 637-57. M.C. Prestwich, 'Cavalry Service in Early Fourteenth-Century England', *War and Government in the Middle Ages. Essays in Honour of J.O. Prestwich*, ed. John Gillingham & J.C. Holt (Woodbridge, 1984), p. 155.

<sup>31</sup> N. Denholm-Young, *The Country Gentry in the Fourteenth Century, with Special Reference to the Heraldic Rolls of Arms* (Oxford, 1969), pp. 16-18; Saul, *Knights and Esquires*, pp. 11-12; Peter Coss, *The Knight in Medieval England, 1100-1400* (Stroud, 1993), p. 84.

<sup>32</sup> *Parl. Writs*, II, ii, 649-50. Fortunately, Burghdon's return is one of the better preserved; it is also printed in Hodgson, *Northumberland*, III, 303 - wrongly dated and omitting the names of no less than four men-at-arms. It is analysed by Blair, 'Knights of Northumberland, 1278 and 1324', pp. 137-75.

<sup>33</sup> *CIPM*, vi, no. 751; *NDD*, p. 228; E 101/15/26; *NCH*, ii, 238n.

in the rebellion of Gilbert de Middleton.<sup>34</sup> Others may well have been excluded by reason of old age or infirmity, such as Sir Roger de Felton, whose death in February 1326 was recorded by the monks of Newminster; on the other hand, whilst Roger was omitted from Burghdon's return, another of the family, William, was listed amongst the men-at-arms.<sup>35</sup>

Burghdon's return was unusual, in that it included a very high proportion of men-at-arms relative to knights; indeed, for no other county was this proportion so high (see Table 2). The generally accepted explanation for Northumberland's preponderance of men-at-arms lies in the county's dire poverty in the early fourteenth century, brought about by years of Scottish invasions, 'many of those eligible for knighthood being too poor to uphold the dignity'.<sup>36</sup> However, such a straightforward economic explanation is an oversimplification. Northumberland was certainly a very impoverished county; indeed, the assessments for the lay subsidies in 1334 and 1336 suggest that - in terms of its assessed wealth in relation to its area - Northumberland was comparatively the poorest county in England.<sup>37</sup> Nevertheless, despite this poverty, the sheriff listed a total of 116 knights and men-at-arms in 1324, a combined total

<sup>34</sup> *Parl. Writs*, II, ii, app. 239; *CCR 1323-7*, p. 125; *NCH*, ix, 58-60.

<sup>35</sup> *Newminster Cartulary*, ed. Fowler, p. 304; *Parl. Writs*, II, ii, 649. William was subsequently knighted (by May 1334, *Percy Chart.*, p. 202).

<sup>36</sup> Blair, 'Knights of Northumberland, 1278 and 1324', pp. 138-9, followed by Lomas, *North-East England*, p. 58.

<sup>37</sup> For the unique value of the 1334 subsidy assessments for comparative purposes, see *The Lay Subsidy of 1334*, ed. R.E. Glasscock, *Records of Social and Economic History* ii (Oxford 1975), p. xvii. In fact, as Northumberland, Cumberland and Westmorland were excused from contributing to the subsidy of 1334 - by reason of recent Scottish invasion - the assessments for these counties for the 1336 subsidy have to be used for any comparison instead (*ibid.*, p. xxiii). Northumberland's comparative penury at this time is made clear by R.E. Glasscock, 'England circa 1334', *A New Historical Geography of England Before 1600*, ed. H.C. Darby (Cambridge, 1976), p. 141. Obviously, it is less than ideal to use the 1334/6 assessments as a guide to Northumberland's comparative wealth ten years previously, in 1324; but the accounts of Durham Priory's properties in Northamptonshire and Islandshire suggest that the county had seen a significant degree of recovery by 1336 (Lomas, 'The Impact of Border Warfare', p. 151), and it is not unreasonable to suppose that if Northumberland was impoverished in 1336, it was more so in 1324.

which was far higher than that of most other counties, notwithstanding their greater wealth.

Undoubtedly, much of the explanation for this disparity stems from contemporary confusion over how to define a 'man-at-arms'. The writs themselves provided no such definition, and there was no clear consensus as to exactly who qualified; different sheriffs used different criteria. Thus the sheriff of Cornwall listed those who owned forty librates of land or more, which was by this time the customary level for distraint of knighthood;<sup>38</sup> in effect, Cornwall's return defined its men-at-arms as those who were wealthy enough to be knights, but who had yet to take up that exalted honour. By contrast, the return for Lancashire used a much more liberal definition, specifying that the men-at-arms listed had fifteen librates, 'except for those who have less' (*exceptis aliis qui minus habent*). Obviously, those sheriffs who applied less stringent criteria returned a higher proportion of men-at-arms, irrespective of their county's wealth. So, whilst Lancashire and Cornwall were similarly impoverished (according to the assessments of 1334/6), Lancashire returned one less knight than Cornwall, but more than four times as many men-at-arms; and similar factors account for Northumberland's large quota of men-at-arms. Northumberland, Lancashire and Cumberland all returned a similarly high ratio of knights to men-at-arms, significantly higher than elsewhere in England (see Table 2). All of these counties had suffered directly at the hands of Scottish raiders; but as well as devastating local economies, Scottish raids had had the effect of militarising local society. Even as far south as Lancashire, the men of the county considered themselves as bound by the custom of the Marches.<sup>39</sup> As the endorsement of the returns for Lancashire suggest, the obvious explanation for the large numbers of men-at-arms is not that the border gentry were

<sup>38</sup> Distraints of those holding 40 librates were ordered in 1312, 1324 and 1325; in 1316 and 1319, the threshold was set at 50 librates (Powicke, *Military Obligation*, p. 170).

<sup>39</sup> When Sir Edmund de Neville was accused of releasing two Scottish prisoners for a payment of £10, he argued that as they had been captured on Hornby Moor, which he claimed was part of the Scottish Marches, therefore the law of the Marches applied and that having bought them from the captors, he was entitled to ransom them himself. This argument was accepted by a Lancashire jury - and not simply as a convenient excuse to acquit him, for the same jury convicted him of other charges on the same occasion (*South Lancashire in the Reign of Edward II*, ed. G.H. Tupling, Chetham Society, 3rd ser., i (1949), pp. 63-6).

**Table 2. The Distribution of Knights and Men-at-Arms in England, 1324**

	Knights	Men-at-arms	Total	Men-at-arms to Knights	Assessed Wealth in 1334*
Northumberland	21	95	116	4.5	£4 912
Cumberland	12	48	60	4	£7 717
Lancashire	14	51	65	3.6	£5 590
Norfolk & Suffolk	90	241	331	2.7	£50 827
Somerset	26	54	80	2.1	£19 672
Derby	17	34	51	2	£6 751
Dorset	16	23	39	1.4	£12 239
Huntingdon	4	5	9	1.25	£6 416
Westmorland	9	9	18	1	£2 846
Devon	32	26	58	0.8	£13 101
Cornwall	15	12	27	0.8	£6 684
Nottingham	27	14	41	0.5	£10 099
Herefordshire	25	12	37	0.5	£6 153
Cambridge	18	7	25	0.4	£14 803
Sussex	17	4	21	0.2	£16 184

\* Northumberland and Cumberland were excused taxation in 1334, so the assessment for 1336 is used instead.

Ratios are rounded up to the nearest decimal point (which smoothes out the inaccuracies arising from the fact that some sheriffs counted themselves within their returns whereas others did not). The sheriff's returns have been used without any adjustment for missing names on the (probably unduly optimistic) assumption that all the returns will have a broadly similar margin of error. 2 of the Cambridgeshire knights were written off as *infirmus*, while Somerset and Dorset included 4 knights apiece - and Devon 6 - who were described as *impotentes*. Note that the sheriff of Norfolk and Suffolk also returned the names of 8 earls and 9 barons (including the earl of Atholl and John de Clavering, both of whom held extensive lands in Northumberland). Figures for the assessed wealth of each county are taken from *The Lay Subsidy of 1334*, ed. R.E. Glasscock, Records of Social and Economic History ii (Oxford 1975), *passim*.

too poor to take up knighthood, but rather that dire military necessity had forced a much higher proportion of landowners to take up arms - if only in self-defence. A glaring exception to this trend is Westmorland, where the sheriff, Henry de Warthcop, listed nine knights, and just nine men-at-arms; clearly, Warthcop was using different criteria to define a man-at-arms, though there is no obvious reason why he took such a different view from his fellow marchers.<sup>40</sup> An even greater apparent exception are the returns made by the sheriff of Yorkshire, who listed 127 knights but just 13 men-at-arms, *i.e.* a ratio of ten to one. Yorkshire had been subject to devastating

<sup>40</sup> To some extent, Westmorland was an anomalous case, for until February 1322, its sheriff had been an appointee of Robert de Clifford (who had held the shrievalty in fee), at which date it had been forfeited to the crown due to the Clifford's adherence to Thomas of Lancaster (Morris, 'The Sheriff', p. 44), and Warthcop was a royal appointee of just six months standing. However, he cannot have been unfamiliar with wartime conditions in Westmorland, as he had previously been appointed sheriff by the crown during Clifford's minority, 1314-20 (*List of Sheriffs*, p. 150).

Scottish raids, so its gentry might reasonably be expected to have been rather more militarily active than these figures would suggest. In fact, they undoubtedly were, and the listing of every single one of Yorkshire's men-at-arms was probably simply beyond the capabilities of its sheriff. That this was the case is suggested by the sheriff of Lincolnshire's return, which listed 97 knights, and just 16 men-at-arms, said to be serving with Thomas de Wake, William de Kyme and Henry de Beaumont. The sheriff appended a truculent rider to the effect that if the king really wanted the names of more men-at-arms, he might care to enquire of the knights themselves.<sup>41</sup>

Of the ninety-five men-at-arms listed for Northumberland, many were of some considerable standing. Indeed, at least nine of them were subsequently knighted.<sup>42</sup> Others, however, must have been poorly endowed or even landless, and living in the households of their relatives. Robert, Simon and William Darreyns appear to have been brothers, and although Robert was subsequently knighted, the family cannot have been excessively wealthy, for their father had been in severe financial difficulties even before the outbreak of the wars.<sup>43</sup> Thomas de Bradford was a minor landholder whose only recorded holdings were a messuage and a carucate of land in Ingoe (near Stamfordham), held of the Umfravilles as an eighth of a knight's fee; however, he was listed as a man-at-arms in 1324, and was paid as such when he served with Umfraville in the autumn of 1319.<sup>44</sup>

Of the 180 men-at-arms who were named in the indenture of 1319, about fifty can be identified as Northumbrians from other records, or have distinctively Northumbrian toponymns. Perhaps surprisingly, only sixteen of these men were also

<sup>41</sup> *Parl. Writs*, II, ii, 645-6.

<sup>42</sup> John de Denum, by July 1329 (*List of Sheriffs*, p. 72); Thomas de Heton, by September 1329 (*CDS*, iii, no. 992); Alexander de Hilton, by April 1332 (*CPR 1330-4*, p. 278); Robert Darreyns, William de Felton and William de Tynedale, all by May 1334 (*Percy Chart.*, p. 202); Robert Manners, by February 1335 (*NDD*, p. 93); William Tailboys, by November 1337 (*CPR 1334-8*, p. 550); Edmund Craster, by June 1345 (*NCH*, ii, 87n).

<sup>43</sup> Blair, 'Knights of Northumberland, 1278 and 1324', p. 164; and see above, pp. 59-60.

<sup>44</sup> *CIPM*, vi, no. 607; *Parl. Writs*, II, ii, 649; E 101/15/26. He had already served with Umfraville in May 1311 (*CDS*, v, no. 2870; *CCW 1244-1326*, p. 362). Incidentally, he should not be confused with the Thomas de Bradford who was heir to the sergeantry of Bradford (near Bamburgh) in 1318 - at the tender age of four (*CIPM*, vi, no. 141).

listed in the returns of 1324; as it is hardly likely that the remaining thirty-five odd had all died or been dispossessed in the intervening five years, this suggests not only that the number of available men-at-arms recorded in 1324 was an underestimate, but also that the military service of many of these Northumbrian men-at-arms was confined entirely to the customary duty of defending the realm from invasion. By the very nature of the obligation, very little trace of obligatory service has been left in royal records; unpaid service simply did not require the elaborate financial arrangements which were largely responsible for generating these records. Any assessment of the changing role of such service in the guarding of the Marches is therefore somewhat problematic. An apposite example is provided by the response to a major Scottish invasion of June 1340. According to some recensions of Murimuth's chronicle, the 'nobiles marchiones', who had been assigned a large sum of money for the custody of the Marches, failed to make any effective resistance to the Scots, who therefore managed to amass a huge haul of booty; and it was left to the 'populares ... marchie' to attack them on their way back to Scotland, which they did with considerable success, taking over eighty prisoners.<sup>45</sup> By contrast, a letter to the king from one of the participants (probably William de Felton)<sup>46</sup> attributes the victory largely to the garrison of Roxburgh and a detachment at Wark castle under John de Coupland - men who were all in receipt of crown pay. Felton adds, somewhat acerbically, 'and there were no men of the country except for Sir Thomas de Gray and Sir Robert Manners, who arrived before [the Scots] were entirely beaten and put to mischief'. Then again, and not perhaps unpredictably, the *Scalacronica* (or at least, Leland's abstract of it) accords Gray rather more prominence in the affair.<sup>47</sup> However, the general obligation

<sup>45</sup> 'Adæ Murimuth Continuatio Chronicarum', *Chronica Murimuth et Avesbury*, ed. Thompson, p. 109n.

<sup>46</sup> The contents of the letter, taken in conjunction with the *Scalacronica*'s account, suggest that its writer was a figure of authority in Roxburgh; William de Felton, who was then constable of the castle (E 101/22/40), and a veteran of the Scottish wars, is the obvious candidate (a suggestion I owe to the kindness of Dr Andrew Ayton).

<sup>47</sup> SC 1/54/30 (see Appendix 1, no. ii); E 101/22/40; *Scalacronica* (Leland), p. 299. Murimuth dates the invasion to 'circa festum sancti Johannis'; assuming this refers to John the Baptist (24 June), this ties in very nicely with the date of 28 June given in Felton's letter. It should also be noted that Manners was the constable of the castle of Norham, and therefore in service, albeit that of the bishops of Durham.

to defend the realm undoubtedly did continue to have a role in the defence of Marches, and indeed, as the appointment of wardens of the Marches became increasingly regularised and institutionalised under Edward III, and as marcher magnates with affinities amongst the Northumbrian gentry came to dominate that office (in particular, the Percies) so its implementation became rather more efficient. Thus, when David II crossed the English border into Liddesdale on 8 October 1346, the wardens, including the archbishop of York, Henry Percy and Ralph Neville, were able to co-operate with landowners throughout the north to assemble a force at Richmond sufficient to inflict a devastating defeat on the Scots at Neville's Cross on the 17th - though they were greatly aided in this by David himself; for labouring under the unfortunate delusion that the entire military community of northern England was absent in France, he obligingly wasted four to five days besieging Liddel peel, and a couple more days hanging around Hexham whilst his men plundered its hinterland.<sup>48</sup> And as the men of Northumberland, Durham, Westmorland and Cumberland who fought so well at Durham were raised under their obligation to defend the realm, they do not seem to have been paid for their sterling efforts.<sup>49</sup>

Nonetheless, despite - or perhaps even because of - the successful mobilisation of the marcher gentry in 1346, just ten years later, it was evidently considered necessary to remind them of their duties; for when Henry Percy and Ralph Neville were appointed as wardens of the March in Northumberland in July 1356, with the authority to array the defensible men of the county, a writ was sent to Robert de Ogle informing him of this appointment, and ordering him, on pain of forfeiture, 'to march with [Henry and Ralph] against the Scots, our enemies, if they should presume to invade the marches, to repel their malice, with the aid of God', in person, with as many men-at-arms, hobelars and archers as possible.<sup>50</sup> This was despite the fact that

<sup>48</sup> The assembly of the English host is described in Samson's news-letter (*Oeuvres de Froissart*, ed. Lettenhove, v, 490). For the progress of the Scottish invasion, see above, p. 40.

<sup>49</sup> J.E. Morris, 'Mounted Infantry in Mediæval Warfare', *TRHS*, 3rd ser., viii (1914), pp. 99-100; Prestwich, 'The English at the Battle of Neville's Cross', pp. 5-6. This helps to explain why Edward's efforts to take the Scottish prisoners captured at the battle into his custody were met with such resentment and widespread evasion.

<sup>50</sup> 'Ad perficistendi cum eis contra Scotos inimicos nostros si marchias illas ingredi presumserunt et ad eorum malitiam cum dei adiutoris propulsandi', NRO, ZSW 1/68 (this writ does not appear to have



Ogle had already had a long and distinguished record of fighting the Scots. Described by Walsingham as an ‘armiger famosissimus’, he had served in the Scottish campaign of 1337; in 1341, he had captured five Scottish knights during a raid on Northumberland led by David II; in 1345, he was prominent in the defeat of a Scottish raid on Westmorland, killing another Scottish knight in single combat; at Neville’s Cross, he took the earl of Fife, Henry de Ramsey and Thomas Boyd, and shared in the capture of William Douglas (and not surprisingly, he was amongst those who received a letter of thanks for his efforts from a grateful Edward III); in 1347, he served with Edward Balliol’s ineffectual Scottish expedition; and just a few months before receiving this writ, he had been the acting keeper of Berwick (as a deputy for Lord Greystoke) when it fell to the Scots in November 1355 - and two of his sons were killed in the fighting.<sup>51</sup> Given his record, it is unlikely that Ogle was personally singled out to be thus lectured, and we may presume that similar writs were sent to other leading landowners in the county. In the nine years between Neville’s Cross and the capture of Berwick in 1355, Northumberland had been very little troubled by the malice of the Scots, and there had been little need for anyone to turn out to defend the county against them. In the aftermath of the assault on Berwick, a writ to remind the marcher gentry of their duties might not have been out of place. In the event, the ‘burnt Candlemass’, Edward III’s vicious retaliatory *chevauchée* of January 1356, ensured that Scottish aggression was quelled almost until the end of his reign. Thus by 1377, virtually all military service against the Scots in the previous thirty years had entailed paid service beyond the Tweed in English-occupied Lothian, and there are clear signs that in practice, military service was becoming increasingly divorced from customary military obligation; according to the well-informed ‘Westminster’ chronicler, the arrangements for the defence of the March in the summer of 1389 were undermined by arguments over money - and this, just months after the humiliating defeat at Otterburn:

been enrolled in the Chancery). For the appointment of Percy and Neville, see *Rot. Scot.*, i, 796.

<sup>51</sup> *Chronicon Angliæ, 1328-88*, ed. E.M. Thompson, RS 64 (1874), p. 21; E 101/20/17, mm. 2d., 7; Bower, vii, 150, 283; *Knighton’s Chronicle, 1337-96*, ed. G.H. Martin (Oxford, 1995), p. 36; *Historia Anglicana*, ed. Riley, i, 267; *Rot. Scot.*, i, 678; *Fædera*, III, i, 91-2; E 101/25/10, m. 12; *Rot. Parl.*, iii, 11. For an account of Ogle’s career, see GEC, x, 24-6.

The reason for dissension among the northern lords was this: all were of noble or gentle blood, though one might be called an earl, another a baron, and others 'lords', but when it came to drawing money, they aspired to equality; this was refused them, and they accordingly broke away to their homes. The whole area, with the exception of the castles, was thus left unprotected, so that the Scots had complete freedom to do what they liked by way of ravaging the countryside.<sup>52</sup>

By this stage, the defence of northern England had effectively been 'privatised', subcontracted out to the wardens of the Marches, and it was left to them to raise their own retinues, to be paid for out of their own fee rather directly by the Exchequer; but from about the 1380s, it became a common requirement that these retinues should be recruited from outside the Marches: when Henry Percy *le filz* was retained as warden of the East March and keeper of Berwick in March 1385, his indenture required that two-thirds (or failing that, at least half) of his men should not be marchers. Following the capture of Berwick castle by a group of Scottish brigands in November 1378, and the sacking of Wark in June 1383, there was increasing concern for the security of the castles of the Marches, leading to a shift of emphasis in the deployment of their garrisons towards the passive defence of the castles themselves. Inevitably, this led in turn to a reduction of their role as field forces: whereas in August 1319, Edward II had ordered twenty-four hobelars to be withdrawn from the garrison of Norham to reinforce his army besieging Berwick, Henry IV by contrast, when preparing his expedition to Scotland in 1400, ordered that the garrison of Norham be reinforced with fifty men-at-arms and a hundred archers.<sup>53</sup> Furthermore, the whole issue of the defence of castles had become the subject of political controversy when accusations of treason were bandied about in the Good Parliament, following the loss of the castles of St Sauveur and Becherel in Brittany, whilst some of the captains of Bishop Despencer's Flanders 'crusade' of 1383 were similarly accused of treason in parliament, having allegedly sold certain forts to the enemy.<sup>54</sup> More pertinently, the unfortunate Alexander de Featherstonhaugh, keeper of Lochmaben castle,

<sup>52</sup> *Westminster*, pp. 396-7. As the Westminster chronicler specifically includes those called *domini* (a title habitually used with reference to knights) amongst the *boreales dominos*, as well as those called *comes* and *baro*, I have assumed that he is here referring to the upper ranks of the northern gentry as well as to the magnates.

<sup>53</sup> *CDS*, iii, no. 668; *PPC*, i, 124.

<sup>54</sup> J.G. Bellamy, 'Appeal and Impeachment in the Good Parliament', *Bulletin of the Institute of Historical Research* xxxix (1966); George Holmes, *The Good Parliament* (Oxford, 1975), pp. 130-3.

Dumfriesshire, was arrested and brought to Windsor, to face a charge of treason after Lochmaben was captured by the Scots in February 1384 - a charge which the Westminster chronicler evidently considered to be justified.<sup>55</sup> Even the earl of Northumberland was potentially vulnerable to such charges. When he lost Berwick castle to the Scots in 1384, he almost lost his lands as well, for John of Gaunt used the opportunity to procure a judgement of forfeiture by the king, though Richard quickly relented and pardoned him (albeit in the face of Gaunt's opposition).<sup>56</sup>

The threat of charges such as these can only have served to concentrate the minds of the keepers of castles in the Marches on the immediate task of keeping their castles out of enemy hands. By the 1380s, the wardens had been made responsible for the defence of important royal castles such as Berwick. There was therefore every prospect that if large numbers of Northumbrians were retained by the wardens, the gentry of the county would end-up as garrison troops, sitting behind the walls of the king's castles whilst the rest of the county lay undefended; and it may also have been feared that consequently, they might be tempted to go off to defend their own homes and families.<sup>57</sup> Thus, the March wardens, and in particular, the keepers of royal castles, had to be discouraged from recruiting too many marchers. Nevertheless, the wardens still retained the authority to array all the *homines defensabiles* between the ages of sixteen and sixty in the March, as well as the men-at-arms, hobelars and archers, for the 'defence of the Marches and the realm'.<sup>58</sup> As long as the wardens were

<sup>55</sup> CCR 1381-5, p. 370; CDS, iv, no. 331 (pp. 73-4); Westminster, p. 58; Macdonald, *Border Bloodshed*, pp. 76-7, 212.

<sup>56</sup> *Historia Anglicana*, ed. Riley, ii, 118; Westminster, p. 104; Macdonald, *Border Bloodshed*, p. 85; Tony Goodman, 'The Defence of Northumberland: A Preliminary Survey', *Armies, Chivalry and Warfare in Medieval Britain and France. Proceedings of the 1995 Harlaxton Symposium*, ed. Matthew Strickland (Stamford, 1998), pp. 166-7. Percy regained Berwick by the expedient of buying off its captors for 2000 marks.

<sup>57</sup> Goodman, 'The Defence of Northumberland', pp. 167-8; Tuck, 'War and Society in the Medieval North', p. 45. It is unlikely that concerns about Northumbrian propensities for colluding with the Scots were a factor in this policy (as suggested by Tuck), for such collusion did not become endemic until the fifteenth-century.

<sup>58</sup> e.g. *Rot. Scot.*, ii, 40 (the commission appointing John de Neville as warden of the East March, 16 December 1381). It is interesting to note that royal commissions such as this continued to refer to hobelars long after they had ceased to be employed in the field.

also local magnates, the system continued to function after a fashion, for they had the necessary local contacts and affinities to bring out the local gentry. Thus, the earl of Northumberland was able to recruit most of the Northumbrian gentry for Richard II's Scottish expedition of 1385.<sup>59</sup> When the Scots invaded in 1388, Henry Percy *le filz* was able to assemble a sizeable force with which to pursue them to Otterburn, including such leading Northumbrians as Thomas and Robert de Umfraville, Thomas Gray, Robert de Ogle, Ralph de Lumley, John Felton, John de Lilleburn, David Holgrave, Nicholas Raymes and Alan Horsley, and a contingent from Newcastle.<sup>60</sup>

Nevertheless, even Percy had difficulties raising this force, and the bishop of Durham, Walter Skirlaw, who had arranged to bring the bishopric's levies to rendezvous with him, conspicuously failed to turn up in time for the battle.<sup>61</sup> When an outsider held the wardenship, such problems were bound to be multiplied. Thomas Mowbray, earl of Nottingham, appointed warden of the East March and keeper of Berwick in March 1389, held no lands in the north; nor did he recruit many of his men from Northumberland. Though he was able to attract some minor scions of the Strother, Horsley, Lisle and Heton families, the only Northumbrian of any real

<sup>59</sup> BL, Cotton Roll XIII 8 (printed in part by E.B. de Fonblanque, *Annals of the House of Percy* (2 vols, London, 1887), i, app., pp. 508-10). Though undated, this retinue roll for the earl of Northumberland has many names in common with another retinue roll of February 1384 (E 101/40/5); in particular, Sir John de Felton appears in both lists leading a retinue composed of the same ten men (with two more added in the former), which suggests they are of a similar date. Given the large size of the retinue recorded in Cotton Roll XIII 8, the Scottish expedition would be the obvious occasion for it (Anthony Tuck, 'The Percies and the Community of Northumberland in the Later Fourteenth Century', *War and Border Societies in the Middle Ages*, ed. Anthony Tuck & Anthony Goodman (London, 1992), p. 194, n. 41). Amongst those listed are Bertram Monboucher, Henry del Strother, John de Felton, Ralph de Eure, Thomas de Ilderton, William and Henry Delaval, William Heron, Thomas Gray, Walter, Henry and William Tailboys, John de Fenwick, Nicholas Raymes, Thomas and Robert de Umfraville, William Swinburne, along with many others.

<sup>60</sup> *The Chronicle of John Hardyng*, ed. H. Ellis (London, 1812), p. 342; *Oeuvres de Froissart*, ed. Lettenhove, xiii, 210, 227; E 403/521, mm. 1, 3; E 403/524, m. 17; *Rot. Scot.*, ii, 99. The presence of a considerable Newcastle contingent can be inferred from the anger of the many women of the city who lost their husbands at the battle (*Westminster*, p. 348).

<sup>61</sup> *Ibid.*, p. 348; *Oeuvres de Froissart*, ed. Lettenhove, xiii, 230-2; Barrie Dobson, 'The Church of Durham and the Scottish Borders, 1378-88', *War and Border Societies*, ed. Tuck & Goodman, pp. 125-8.

standing to serve with him was Sir William de Swinburne; and Swinburne, an erstwhile retainer of John of Gaunt who would later attach himself to Henry Percy the younger, was clearly none too fussy about whose pay he took. The situation was not improved when the earl of Northumberland took offence at this intrusion and retired to the court, leaving Mowbray with few lines of communication with the Northumbrian gentry.<sup>62</sup> And it was surely this which led to - or may even have been the direct cause of - the dissension noted by the Westminster chronicler, which crippled his efforts to defend the March during the summer.

By the end of the fourteenth century, in common with the rest of the English gentry, the gentry of the Marches had become accustomed to being paid for their military service. Although the obligation of all men to defend the realm against invasion undoubtedly remained an important means of raising manpower to defend the Marches, it did require magnates with local influence to make the system work efficiently; and ultimately, it required magnates with deep pockets. Writing in the fifteenth century, the Northumbrian squire John Hardyng wrote of the Percies, 'They have the Hertes of the People by North'.<sup>63</sup> However, it was perhaps the influence which they exerted over the Northerners' wallets which was to make the Percies indispensable for the defence of the Marches.

### **The Rewards and Risks of Military Service**

For many Northumbrians, the Scottish wars undoubtedly brought nothing but the ruin of their lives and livelihoods. Nevertheless, for those who could afford to equip

<sup>62</sup> E 101/41/17, mm. 1, 3. Note that m. 1 of this account is barely legible; the names of one or two other Northumbrians may possibly have been obscured. For Mowbray's appointment, and Percy's reaction, see *Rot. Scot.*, ii, 96; *CDS*, iv, no. 399; *Westminster*, p. 396; Tuck, 'Richard II and the Border Magnates', pp. 44-5.

<sup>63</sup> Hardyng, ed. Ellis, p. 378.

themselves as men-at-arms and fight in the king's armies, the same wars did bring some substantial benefits and profits. Not the least of these was pay. As they were anyway obliged to fight in defence of their county - by law and custom, and by sheer military necessity - there was clearly every incentive for Northumbrians to enter into paid military service for the crown, which would at least provide some recompense for their troubles; and as we have seen, the majority of knights and wealthier gentry of the county did so. Under Edward I, the standard rates of pay for service in the king's armies had been settled at two shillings a day for a knight, and one shilling for a man-at-arms. These rates applied equally on the Marches; the garrison of Alnwick castle, for instance, was paid at these rates by the crown in 1314-15.<sup>64</sup> There were exceptions; those who indentured to serve the crown on the Marches in September 1319 were paid at the rate of two shillings per day for knights, and just eight pennies for men-at-arms - probably due to the crown's severe financial difficulties. But such exceptions were unusual; the indentures made with the crown by Gerard de Widdrington and William Heron for service on the Scottish Marches, in May 1342, specify merely that they and their men would be paid 'les gages de guerre acustumez'.<sup>65</sup> At the standard rates, a man-at-arms serving for a full year could expect to earn £18 5s, a knight £36 10s. These were not inconsiderable sums; £36 10s was not far short of the forty pounds yearly of landed income customarily set for distrainments of knighthood. It has been suggested that as a result of the Scottish wars, 'enormous resources were poured into northern England in the century after 1296'; certainly, the wages bills of crown forces operating in the Marches would tend to bear this out: the three knights, thirty-seven *armigers* and forty hobelars who garrisoned Alnwick during 1315 received a total of £1137 3s for their year's service, and most of these were Northumbrians.<sup>66</sup>

<sup>64</sup> E 101/14/39 (5); Prestwich, *Armies and Warfare*, p. 84. Hobelars were usually paid 6d per day.

<sup>65</sup> E 101/378/4, ff. 14, 22v., 23, 26v.; E 101/68/3 (55, 56).

<sup>66</sup> E 101/14/39 (5); Frank Musgrove, *The North of England. A History from Roman Times to the Present* (Oxford, 1990), p. 148. The total expenditure on royal garrisons in the north, including Carlisle and Berwick, has been calculated as £20,000 per year at the height of the Scottish onslaught (McNamee, *Wars of the Bruces*, p. 146). Whether 'the stimulus that war gave to the economy ... outweighed the damage done by the Scots' (Musgrove, *The North of England*, p. 148) is a moot point; the majority of Northumbrians are perhaps unlikely to have seen their plight in quite such positive

An example of the sort of terms and conditions which were current in marches is provided by an indenture made between Gilbert de Umfraville, earl of Angus (in name if not in fact), and Sir William de Swinburne, at Umfraville's castle at Prudhoe, 22 September 1334, recording that Swinburne was to be paid twenty marks to stay with Umfraville for nine months, with two valets 'well-armed and well-mounted', starting from Michaelmas.<sup>67</sup> Such temporary contracts must have been very common. Unfortunately, the very fact that they *were* temporary means that very few records of these agreements have survived, for once the period of service had been completed, there was no reason to bother to preserve the parchment which recorded it.<sup>68</sup> This rare specimen clearly relates to the royal expedition to Scotland, intended to prop up Edward Balliol's ailing regime in Scotland, which had been ordered to muster at Newcastle on 6 October; Umfraville was indented to serve on this expedition, with thirty men-at-arms and eighty mounted archers. However, he was paid only £100 for three months service.<sup>69</sup> This would not have been enough to cover his costs if he had offered his men the standard crown rates of two shillings a day for a knight, and one shilling for a man-at-arms; and it is equally clear that he did not offer these rates. The twenty marks for nine months offered to Swinburne works out at just under one shilling per day, and presumably, Swinburne had to pay some of this to his two valets; however, Umfraville did undertake to cover 'all manner of other costs for him and his two valets, as other knights receive'. Unfortunately, the manner of these costs is not made explicit: there is, for instance, no mention of compensation for the loss of warhorses, a customary benefit for those serving at the king's wages, but which was apparently not being offered by the crown in 1334-5;<sup>70</sup> presumably however, the costs offered to Swinburne were sufficient to compensate for any shortfall compared to

terms.

<sup>67</sup> NRO, ZSW 1/58 (see Appendix 1, no. i, below).

<sup>68</sup> Fortunately, the Swinburnes were a rare example of lay landowners whose enthusiasm for preserving ephemeral records long after they had ceased to be of any relevance almost matched that of the royal Chancery.

<sup>69</sup> Nicholson, *Edward III and the Scots*, pp. 167-8, 246-7. The expedition was - inevitably - delayed, and Umfraville served with the king for three months, from November 1334 to 12 February 1335 (BL, Cotton MS Nero C.VIII, f. 234).

<sup>70</sup> Ayton, *Knights and Warhorses*, pp. 104-5.

rates of pay offered by the king. In fact, this reference to other knights and the expenses which they received - and indeed, the very fact that these expenses were not carefully enumerated - clearly demonstrates that by 1334, customary terms for paid military service were well-enough established that they did not need to be specified in the terms of the indenture. What is perhaps somewhat unusual about this agreement is its provision for the event that illness prevented Swinburne from serving in Scotland, in which case, the fee was to be repaid. Possibly, Swinburne was notoriously prone to illness - whether real or feigned - and had failed to fulfil the terms of previous agreements on these grounds.

The indenture also reveals something of the relationship between the two parties. The Swinburnes of Capheaton were tenants of the Umfravilles - Capheaton was held of them by knight's service and suit of court at Prudhoe - and when Gilbert's father, Robert, was appointed keeper of the march in 1319, Swinburne had served in his own retinue.<sup>71</sup> But the relationship was clearly an occasional one; Swinburne can hardly have been a life-retainer of Umfraville, for the 1334 agreement would not then have been necessary. In any case, the Umfravilles were far from being solely reliant on their tenants for raising troops. The retinue recruited by Robert de Umfraville in 1319 mustered twenty-four men-at-arms, including perhaps thirteen of Northumbrian origin; however, just five of the latter held lands of him, including Swinburne.<sup>72</sup> Likewise, the retinue raised by Robert's son in May 1336 included seven Northumbrian men-at-arms, and only three of these were Umfraville tenants.<sup>73</sup>

Although there were obvious advantages to serving for royal pay, the actual payment of royal wages was chronically belated and habitually in arrears. In March 1327, the collectors of the customs at the port of Newcastle were ordered to pay ten pounds arrears of wages to Thomas Gray, 'lately in the retinue of the earl of Arundel, keeper of the March'. In fact, Arundel had been appointed keeper of the March in

<sup>71</sup> *CIPM*, vi, no. 607 (inquest *post mortem* on earl Robert, 1325); E 101/15/26.

<sup>72</sup> The other four were John de Rochester, Thomas de Bradford, Robert de Boteland and John de Horsley (compare E 101/15/26 with *CIPM*, vi, no. 607).

<sup>73</sup> Gilbert de Burghdon held quarter of a knight's fee of the Umfravilles, and Robert de Burghdon was presumably a relation of his; doubtless, Alexander de Swinburne was one of the Swinburnes of Capheaton (E 101/19/36, m. 5; *CIPM*, vi, no. 607).





November 1316, and the money in question was presumably owed from ten years previously, when Gray had lost a horse at Lintalee, near Jedburgh, whilst serving in Arundel's retinue in March 1317.<sup>74</sup> Even when those owed wages did eventually manage to extract some cash from the crown, it was sometimes clawed back again. In July 1387, an extraordinary writ was sent to John de Lilleburn, Robert de Ogle, John Fenwick, and to the Yorkshire knight Sir Gerard Salvayn, demanding that they each pay £100 to John de Neville, the keeper of Bamburgh castle, towards repairs to the north curtain wall, out of the wages they had been paid for service in Brittany; in return, they had to make do with a tally. It was perhaps anticipated that this demand might not be met with overwhelming enthusiasm, so a 100 mark penalty was attached, along with a provision that any one of them who might consider defaulting was to come and explain their default before the king and Council.<sup>75</sup> In fact, strictly speaking, most Northumbrians were not actually directly in royal pay, as they served in the retinues of captains who had indented with the crown; and it was these captains who were their paymasters. Nevertheless, many of these captains would not have been able to afford to pay their own retainers until they had themselves been reimbursed by the crown; so in practice, arrears of pay were usually just passed on down the chain of sub-contractors to the men-at-arms anyway. Therefore, paid military service with the crown required either a certain level of capital, to defray the immediate costs of campaigning, or a wealthy and generous captain, who could afford to pay wages without having to wait to be re-indemnified.<sup>76</sup> Nevertheless, whilst payment by the crown was habitually tardy, and sometimes extremely so, royal wages were perhaps no less dependable than income from land, which was vulnerable to sudden disruption by both Scottish raiding and acts of God, such as the abysmal weather which led to the famine of 1315-17, or the Black Death of 1348-9.

<sup>74</sup> *Calendar of Memoranda Rolls (Exchequer), Michaelmas 1326- Michaelmas 1327*, no. 1637; *Rot Scot.*, i, 166-7; Society of Antiquaries, MS 120, f. 52v. For Arundel's brief stint in the Marches, see McNamee, *The Wars of the Bruces*, pp. 149-51.

<sup>75</sup> *CCR 1385-9*, p. 336. That the crown was prepared to stoop to such desperate expedients is a revealing illustration of the state of its finances at this time of acute political crisis.

<sup>76</sup> There is no evidence to suggest that any form of *regard* was paid for service in the Marches in Edward II's reign, which would have gone a long way towards overcoming this problem (for the development of *regard* payments, see Ayton, *Knights and Warhorses*, pp. 110-27).

Military service offered other, potentially more lucrative, opportunities for profit, in the form of plunder and ransoms. Scotland was not a wealthy country, and did not perhaps offer the same prospects for booty as did France. Nevertheless, there was still portable wealth to be found for those who looked.<sup>77</sup> When the seamen of Newcastle burned Dundee in July 1335, they plundered the Franciscan friary of its great bell; it was put on sale in Newcastle, where it was bought by the Dominicans of Carlisle for ten marks. The 'Lanercost' chronicler commented sniffily that the seamen had no right to sell it nor the Dominicans any right to buy it, his habitual hostility to the Scots being overcome, on this occasion, by sympathy for his fellow Franciscans.<sup>78</sup> Henry Knighton exhibited no such compunction when he recorded that after Neville's Cross, the English invaded Scotland and brought back 'magnum predam animalium et aliorum bonorum'.<sup>79</sup> The crown certainly recognised that the prospect of plunder was an effective inducement for recruitment. In September 1314, Edward II granted to John de Whelplade the right to keep all the booty which he could seize from the king's enemies in the marches (*i.e.*, remitting the crown's right to a third part); this grant was made explicitly so that Whelplade 'be better encouraged in the hunting down and suppressing of our enemies in the parts of the Scottish Marches, perceiving the greater profits that will come to him accordingly'.<sup>80</sup> The *Vita Edwardi Secundi* records that in order to encourage recruitment for the campaign to recover Berwick, in 1319, Edward granted that each man of his host could plunder up to one hundred pounds worth of goods 'without restitution'; this was said to be an effective

<sup>77</sup> D. Hay, 'Booty in Border Warfare', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 3rd ser., xxxi (1954), pp. 149-51. The profits to be made from Scottish prisoners are discussed below, pp. 125-6.

<sup>78</sup> *Lanercost*, p. 282. It should be noted that the 'Lanercost' chronicle was actually compiled by Franciscans, this portion probably being written at Carlisle (Antonia Gransden, *Historical Writing in England, c. 1307 to the Early Sixteenth Century* (London, 1982), p. 12). The 'holier-than-thou' tone of moral outrage adopted here by 'Lanercost' may therefore have been coloured by local rivalry between Minorites and Preachers.

<sup>79</sup> *Knighton's Chronicle*, ed. Martin, p. 72. This is presumably a reference to Edward Balliol's expedition of March 1347.

<sup>80</sup> '... ad persequendum et gravandum inimicos nostros in partibus Marchie Scotie eo amplius animetur quo sibi exinde maiora perspiciat commoda obventura', *Rot. Scot.*, i, 131.

expedient, bringing forth many volunteers, 'because restitution, frequently made after a truce, was not to be feared'.<sup>81</sup> Certainly, Edward III resorted to the same methods. Similar general grants were made in advance of the Weardale campaign, in April 1327, and for the Roxburgh campaign, in November 1334.<sup>82</sup> Such grants could, however, have a detrimental effect on the maintenance of law and order; tellingly, Edward's grant to John de Whelplade included the specific proviso that those in the king's peace or under truce should not be harmed. The actions of Thomas de Fishburn, the recipient of similar royal generosity, were to demonstrate that such provisions were all too necessary.<sup>83</sup>

Obviously, the prospects for plunder and prisoners depended very much on circumstances; neither could be by any means guaranteed. Indeed, plunder was only legitimately available from across the Scottish border (though, as we shall see, some Northumbrians did not trouble themselves with such niceties), whilst the prospects for capturing prisoners were obviously not good at times when the Scots had the upper hand militarily.<sup>84</sup> For those who were habitually in receipt of crown pay, a perhaps rather more dependable perk was the various forms of patronage which the crown could offer. Military service for the crown offered plenty of opportunities to gain access to this patronage. In particular, serving on an expedition led by the king himself provided the perfect opportunity for lobbying for favours. Sometimes, it was not even necessary to lobby. Before the battle of Halidon Hill, Edward III rode amongst his greatly outnumbered - and therefore somewhat apprehensive - men, encouraging them, not only with words, but also by an appeal to their cupidity: 'And [he]

<sup>81</sup> '... quia restitutio, que post concordiam frequenter fiebat, timenda non fuit', *Vita Edwardi*, ed. Denholm-Young, p. 94.

<sup>82</sup> *Rot. Scot.*, i, 208, 283-4.

<sup>83</sup> Below, pp. 134-5, 137-8.

<sup>84</sup> Although the English marchers did manage to take some prisoners even during the worst periods of Scottish raiding. In *circa* June 1315, John de Felton, the royal constable of Alnwick castle, managed to capture the Scot, Roger de Acton, near Alnwick; at the beginning of the same year, the notorious *schavaldour* (and fellow member of the royal household) Jack le Irish captured the Scot, John de Stokhaugh; and at about the same time, Roger Mauduit (also a household knight) managed to capture a small band of Scots at Redepath, in Tynedale, and another group near Mitford - though in the event, they profited him very little (E 101/376/7, ff. 40, 62; and see below, pp. 134-5).

generously promised them good reward provided that they conducted themselves well against the great multitude of their Scottish enemies'.<sup>85</sup> After the ensuing victory, Edward was as good as his word, dispensing favour and patronage to his followers with grateful largesse. Amongst the Northumbrian beneficiaries were Michael de Presfen, a king's yeoman, granted the manor of Middleton by Belford; and Thomas de Heton, pardoned for obtaining and entailing lands held in chief without royal licence, and re-granted other lands on a more favourable basis.<sup>86</sup> Nor was Edward the only source of such reward. In February 1336, Richard de Bury, bishop of Durham, granted the reversion of some Northumbrian lands and tenements to Robert de Manners, 'for his good and laudable service to the church of Durham ... especially in guarding Norham castle, which had been exposed in the past to many dangers, and had been delivered therefrom by his efforts with the help of God'. Manners' past 'good and laudable service' had included successfully defending Norham against a surprise Scottish attack on the day of Edward III's coronation (2 February 1327); and the grant was made specifically in return for his future service in war and peace, against all men save the king.<sup>87</sup> William de Roddam served with Henry Percy during the earl of Warwick's rather ineffective Scottish expedition in the summer of 1337; and in September, Percy granted him the ward of the lands of John, son and heir of John de Roddam (presumably William's nephew), in return for his service 'pur pees at pur gerre, od un compaignon suffisant' during John's minority.<sup>88</sup>

Perhaps the most valued form of patronage which military service could attract came in the form of crown office. A successful military career was the surest means to a successful administrative career in the marches, for exploits on the battlefield

<sup>85</sup> 'et les presmist largement bone guerdoun, a y tiels qils se portassent bien encontre la grande multitude Descoce leur enemis', *Anonimale Chronicle, 1307-34*, ed. Childs & Taylor, p. 162.

<sup>86</sup> *CFR 1327-37*, p. 375; *CDS*, iii, no. 1093 (Middleton was in the king's hand by the forfeiture of David Marshal, a Scot); *CPR 1330-4*, p. 462, 465 (Heton's land dealings are discussed below, pp. 175-7); Nicholson, *Edward III and the Scots*, p. 139.

<sup>87</sup> *The Manuscripts of the Duke of Rutland*, Historical Manuscripts Commission (4 vols, 1888-1905), iv, 73-4; *Lanercost*, pp. 258-9.

<sup>88</sup> E 101/20/17, mm. 2, 7; 'Private Indentures for Life Service in Peace and War, 1278-1476', ed. Michael Jones & Simon Walker, *Camden Miscellany XXXII*, CS, 5th ser., iii (1994), no. 36; J.M.W. Bean, *From Lord to Patron. Lordship in Late Medieval England* (Manchester, 1989), p. 58.

brought an individual to the attention of the crown. The outstanding example is that of John de Coupland. Coming from a family of minor Northumbrian landowners, he made an extremely successful career as a soldier on the marches. He served on the Scottish campaign of 1337; and at the siege of Dunbar castle, when he was ‘bot a rycht pure [poor] sympill man’ (according to Wyntoun), he saved the earl of Salisbury from being captured by a Scottish ruse - though at the cost of being captured himself. As Salisbury was a favourite of Edward III, it was probably this that led to his entry into royal service as a valet with an annuity of twenty pounds. The earl may also have helped with Coupland’s ransom, for in July 1338, just a few months later, he served with Salisbury in Flanders, losing a horse worth twelve pounds.<sup>89</sup> He continued to fight in the marches, serving in the garrison of Wark castle (which was owned by Salisbury), and helping William de Felton to defeat a major Scottish incursion led by the earls of March and Sutherland in June 1340.<sup>90</sup> By the mid-1340s, he was already a figure of some influence, being prominent amongst the nineteen ‘chevaliers et seruauntz ... de la communalte du counte de Northumbr’’, named in a petition to the crown in the summer of 1346.<sup>91</sup> However, it was his capture of David II at Neville’s Cross which really made his fortune, in the shape of a rather more substantial annuity of £500, to support his new status as a knight banneret (although unusually he was never actually knighted).<sup>92</sup> Coupland’s military standing was reflected even in Scottish accounts; one recension of Wyntoun describes how, when Berwick fell to the Scots in November 1355, the Northumbrian marchers rallied around Coupland, ‘that tuke þe King Davy at Durehame, and on þe Marche had mekle name’.<sup>93</sup> His social standing is reflected in the armorials still surviving in Northumbrian castles. At Alnwick,

<sup>89</sup> E 101/20/17, mm. 1, 9; Wyntoun, vi, 86; Bower, vii, 130; CDS, iii, no. 1304; *Fædera*, II, ii, 1048; *The Wardrobe Book of William de Norwell, 12 July 1338 to 27 May 1340*, ed. M. Lyon, B. Lyon & H. S. Lucas (Brussels, 1983), p. 311. As Coupland was not then a wealthy man, it was perhaps the earl’s resources that brought about such a quick release.

<sup>90</sup> SC 1/54/30 (see Appendix 1, no. ii, below); *Scalacronia* (Leland), p. 299. From June 1341, he was serving under Felton at Roxburgh castle, with a retinue of nine men (E 101/22/40).

<sup>91</sup> C 49/7/20, no. 3.

<sup>92</sup> CPR 1345-8, pp. 226-7. NCH, xi, 218-20; Tuck, ‘Northumbrian Society’, 36; K.B. McFarlane, *The Nobility of Later Medieval England. The Ford Lectures for 1953 and Related Studies* (Oxford, 1973), p. 30; Prestwich, *Armies and Warfare*, pp. 14, 101.

<sup>93</sup> Wyntoun (Wemyss text), vi, 200.

Coupland's arms adorn the octagonal towers (built in *circa* 1350) flanking the gateway to the inner courtyard; they are in exalted company: on the same tower are the arms of Henry of Lancaster, William Bohun, John de Segrave, Robert de Clifford and Peter de Mauley (who shared the barony of Wooler with Coupland). Coupland's arms also appear on the ostentatious gatehouse at Bothal castle, licensed in 1343 by Robert Bertram, who fought alongside Percy and Coupland at Neville's Cross.<sup>94</sup> Coupland was now a man of status, and was evidently high in Edward's favour; it is tempting to speculate that had he not been murdered, he would eventually have been summoned to parliament - as was his contemporary marcher banneret, John de Strivelyn.<sup>95</sup>

Coupland's success on the battlefield of Neville's Cross brought him a parallel career in the crown administration. He was appointed keeper of Roxburgh in November 1346;<sup>96</sup> and he served as sheriff and escheator of Northumberland for a term of no less than six and a half years. In January 1356, a commission was issued for his removal from office, 'ex certis causis'; but he was still acting as sheriff in April, and it was not until the following November that he was replaced, by Alan del Strother, his brother-in-law.<sup>97</sup> Nevertheless, despite this dismissal, he evidently retained the king's favour, and at his death, he was serving as warden of the march, keeper of Roxburgh castle and sheriff of Roxburghshire.<sup>98</sup> Of course, Coupland's

<sup>94</sup> Blair, 'The Armorial of Northumberland', p. 177-8, & pl. 1. As these armorials have long since lost all trace of their tinctures, their interpretation is open to doubt (for instance, Bates identifies the arms in question at Bothal as those of Gilbert de Aton rather than as Coupland's - *Border Holds of Northumberland*, p. 290); but given the fame which attached to Coupland's name after Neville's Cross, the identification seems reasonable - particularly as Percy, Bertram and Coupland were amongst the twelve Northerners who received personal letters of thanks for their efforts at Neville's Cross from the Crown (*Fædera*, III, i, 91-2).

<sup>95</sup> Strivelyn received his first summons in June 1363 (GEC, XII, i, 407-8).

<sup>96</sup> *CFR* 1337-47, p. 494.

<sup>97</sup> *Fædera*, III, i, 320 (calendared *CPR* 1354-8, p. 326); NRO, ZRI 1/21, 22; *CFR* 1356-68, p. 19. The commission to remove Coupland from office included such notables as John de Grey of Rotherfield, steward of the king's household, and John de Charlton, the king's chamberlain, as well as Henry Green, William de Notton and William Catesby, justices of oyer and terminer; perhaps significantly, none of these men had any substantial links with Northumbrian society. For Coupland's wife's relationship to the Strothers, see NRO, ZSW 4/41; Dixon, 'John de Coupland', p. 37n.

<sup>98</sup> *CPR* 1361-4, p. 454. He had been appointed warden in October 1361, and was re-appointed as

career was exceptional - but only in the scale of his advancement (after all, not every Northumbrian managed to capture the king of Scots). John de Fenwick was first appointed as sheriff just a month after leading a retinue of twenty archers and twenty hobelars to Edward II's army besieging Berwick in 1319. Sir Thomas Gray and Robert de Manners both received letters of thanks from the king for their efforts at the battle of Neville's Cross; and not long afterwards, they both received their first appointments to crown commissions of enquiry.<sup>99</sup> Likewise, John de Lilleburn, Robert Darreyns and Thomas de Heton, all owed their administrative advancement to military service.

To offset these benefits, military service obviously entailed a certain degree of danger. At the worst, there was a real risk of death, and there certainly were a significant number of Northumbrians killed in the Scottish wars. Undoubtedly, some met such a fate unrecorded - for unlike modern inquests, medieval inquests *post mortem* were concerned only with protecting the king's potential rights of wardship, and not with establishing the causes of death; and it is probable that behind many bland inquests there are hidden casualties of war. However, it is possible to compile a list of war deaths - and captures - from various sources, such as chronicles, stray references in writs, proofs of age, and the petitions of widows.<sup>100</sup> From such sources we find that Robert Delaval, lord of Callerton, was probably killed at Stirling Bridge.<sup>101</sup> John de Cambo was killed 'in the king's service in Scotland', probably at Roslin in February 1303.<sup>102</sup> Guischarde de Charron the younger, lord of Horton, was killed at Bannockburn, as were Edmund de Comyn (who returned to the English allegiance after the murder of John Comyn in 1308), Robert de Felton and Robert Bertram.<sup>103</sup> At

sheriff of Roxburgh in the month following (*Rot. Scot.*, i, 857, 858).

<sup>99</sup> *CDS*, iii, no. 668; *Fædera*, III, i, 91-2; *Rot. Scot.*, i, 713-14.

<sup>100</sup> Such a list has duly been compiled in Appendix 3.

<sup>101</sup> See above, p. 28.

<sup>102</sup> *CDS*, ii, no. 1388. Cambo was serving in the company of John de Segrave, who was certainly wounded and captured at that battle, only to be rescued by the timely arrival of the cavalry, in the shape of Ralph de Neville (*Walter of Guisborough*, ed. Rothwell, pp. 351-2; Watson, *Under the Hammer*, pp. 170-1).

<sup>103</sup> *Northumb. Pets*, p. 165; *CDS*, iii, no. 627; *Trivetii Continuatio*, ed. Hall, p. 14; 'Annales

Lintalee in March 1317, the English *schavaldour* Elias the clerk reputedly suffered the singular - and implausible - indignity of having his head cut off and stuck up his backside!<sup>104</sup> John de Burghdon was amongst the handful of English casualties at Dupplin Moor, whilst Richard de Emeldon, erstwhile mayor of Newcastle, was equally unlucky at Halidon Hill.<sup>105</sup> Walter de Selby was executed by the Scots, after being captured during the invasion of 1346.<sup>106</sup> Robert de Ogle lost two sons during the Scottish attack on Berwick in November 1355.<sup>107</sup>

It is immediately apparent from this list, incomplete though it is, that - entirely unsurprisingly - most of these fatalities occurred in battles. Bannockburn, in particular, proved unhealthy for English men-at-arms - indeed, the continuator of Trivet names twenty-seven English barons and bannerets killed there, adding that another thirty-three knights also died.<sup>108</sup> There was an even higher death toll of Scottish nobles at the English victories at Dupplin Moor and Halidon Hill in 1332 and 1333.<sup>109</sup> Of course, at battles such as Halidon Hill and Humbleton Hill, the high death toll amongst the Scots (as with the French at Crécy and Agincourt) was due partly to the indiscriminate lethality of massed English archery - and like guns, bows were a great social leveller, killing without reference to rank or to the niceties of chivalric convention. It was therefore rather fortunate for the Northumbrians that the Scots never seemed able to deploy archers to the same lethal effect.<sup>110</sup> However, the sheer

Londonienses', *Chronicles of the Reigns of Edward I and Edward II*, ed. W. Stubbs, RS lxxvi (1882), i, 231; 'Proofs of Age', ed. Hodgson, p. 302.

<sup>104</sup> '... desecto capite Helie et facie ad anum inhumane locata', 'Extracts from the *Historia Aurea* and a French *Brut*', ed. V.H. Galbraith, *EHR* xliii (1928), p. 208. The defeat of 'ane clerk Elys' is described by Barbour (XVI, ll. 444-66) - but without this gory detail (which is perhaps not altogether surprising, given Barbour's partiality towards James Douglas, the alleged perpetrator of the deed).

<sup>105</sup> *Melsa*, ii, 364; *Anonimale Chronicle, 1307-34*, ed. Childs & Taylor, p. 150; *CCR 1333-7*, p. 200.

<sup>106</sup> See below, pp. 127-8.

<sup>107</sup> *Rot. Parl.*, iii, 11; Bower, vii, 282; Wyntoun, 200-1.

<sup>108</sup> *Triveti Continuatio*, ed. Hall, pp. 14-15.

<sup>109</sup> For discussion of the Scottish casualties at these battles, see Nicholson, *Edward III and the Scots*, pp. 88-9, 136-7; Rogers, *War Cruel and Sharp*, pp. 43-6, 72-4; Chris Given-Wilson & Françoise Bériac, 'Edward III's Prisoners of War: The Battle of Poitiers and its Context', *EHR* cxvi (2001), p. 808.

<sup>110</sup> For a recent re-statement of the lethality of English archery, with plenty of examples from these



turmoil, noise and confusion of a full-scale pitched battle must have added to the casualty rates, for those who stopped fighting long enough to try and surrender might well be cut down before they had the chance to make their intentions clear.<sup>111</sup> According to Scottish sources, James, earl Douglas, who led the Scots to a posthumous victory at Otterburn, was found dead on the field after the battle, and who killed him, 'na man wist'; it would seem that in the gloom of the gathering dusk, the English simply did not realise that they had killed the Scottish leader - and for that matter, neither did the Scots.<sup>112</sup> In fact, a fair proportion of deaths in battle could be considered as almost accidental: many of the English casualties at Bannockburn, including 'multi nobiles', were drowned trying to escape across the burn after the battle was lost;<sup>113</sup> similarly, many of the Scottish dead at Dupplin Moor were crushed to death, when the second Scottish battle line tried to charge the English through the disorganised mass of the first.<sup>114</sup> Nevertheless, it should be emphasised that despite the partly random dangers of mass combat, the death toll amongst the men-at-arms at many of these battles was exceeded by the count of those taken prisoner (though those lower down the social scale were generally not so fortunate). Whilst four of the Northumbrian gentry are known to have been killed at Bannockburn, at least ten were

three battles, see Clifford J. Rogers, 'The Efficacy of the English Longbow: A Reply to Kelly DeVries', *War in History*, v (1998).

<sup>111</sup> Compare the eyewitness account of Agincourt which describes how the English did not have time to make prisoners of many of the French who tried to surrender, and so simply killed them ('Sed nullus vacabat eos captivos recipere ... sine intermissione dabantur in mortem', *Gesta Henrici Quinti*, ed. F. Taylor & J.S. Roskell (Oxford, 1975), p. 90). Agincourt is also notable for Henry V's order, at the height of the battle, to kill all those Frenchmen who *had* been able to get themselves taken prisoner.

<sup>112</sup> Wyntoun, vi, 334; Bower, vii, 416, 436. Froissart states explicitly that neither side realised that Douglas had been killed; and that if they had, the result of the battle might well have been different (*Oeuvres de Froissart*, ed. Lettenhove, xiii, 221). This being the case, his own detailed account of Douglas' death must be one the many pieces of literary embellishment which enliven his work - for he can hardly have had a reliable report of an event which nobody realised had occurred. Similarly, the story of a hand-to-hand combat between Douglas and Sir Henry Percy, stirringly related in the ballad 'The Battle of Otterburn', undoubtedly owes more to its author's romantic imagination than to historical fact - though other more sober English accounts also unwarrantedly credited Percy with vanquishing Douglas (*Westminster*, p. 348).

<sup>113</sup> *Lanercost*, p. 226; *Vita Edwardi Secundi*, ed. Denholm-Young, p. 54; Barbour, XIII, ll. 332-58.

<sup>114</sup> Nicholson, *Edward III and the Scots*, pp. 88-9.

captured.<sup>115</sup> Furthermore, it is a commonplace of medieval military history that large-scale pitched battles were very much the exception; but it is a commonplace that it is worth re-emphasising. John de Coupland spent his career fighting in the marches, as well as on the Flanders campaign of 1338,<sup>116</sup> and he made his fortune by capturing King David II at Neville's Cross; yet as far as is known, this was only large-scale battle he ever fought at. Similarly, Hotspur, that paragon of chivalric prowess, only ever fought in two pitched battles in the marches, Otterburn and Humbleton Hill, before being killed at Shrewsbury. There were also comparatively very few of the long drawn out sieges which could prove so unhealthy, as disease tended to wreak a high toll on both the besieged and the besiegers.<sup>117</sup> Indeed, considering that warfare and raiding persisted in the Marches for much of the fourteenth century, the men of Northumberland seem to have suffered remarkably few war deaths - at least amongst the landowning classes. In fact, the Northumbrian gentry and nobility stood nearly as much chance of being killed by their fellow Englishmen as by the Scots. Thus Gilbert de Middleton was hanged, drawn and quartered for robbing of the cardinals; and his brothers John and Richard suffered the same fate. John de Eure was beheaded in the aftermath of the battle of Boroughbridge. John de Penrith, the keeper of the march for Northumberland, was murdered in a *fracas* with the townspeople of Newcastle, before Edward II's ineffectual Scottish campaign of 1322.<sup>118</sup> John de Coupland was murdered by his own neighbours. John Muschamp was murdered by a gang of his fellow marchers, led by Alan de Heton<sup>119</sup> - who was himself later imprisoned in his own

<sup>115</sup> John de Clavering, Robert de Clifford, Roger Corbet, Robert Delaval, John de Eslington, John de Eure, John de Heselrigg and William de Muschamp were all captured during the course of the battle (*Trivetii Continuatio*, ed. Hall, p. 15; *Northumb. Pets*, pp. 140-1, 148, 161-2, 167-8; Cadwallader Bates, *The Border Holds of Northumberland*, AA, 2nd ser., xiv (1891), p. 243); Thomas Gray was captured in a skirmish the day before, while Robert de Umfraville, earl of Angus, and his cousin Ingram de Umfraville fled to Bothwell castle in the aftermath of the battle, and were captured when its keeper surrendered it to the Scots (*Scalacronica*, p. 141; *Trivetii Continuatio*, ed. Hall, p. 15; *Lanercost*, p. 228).

<sup>116</sup> *Fædera*, II, ii, 1048; *The Wardrobe Book of William de Norwell, 12 July 1338 to 27 May 1340*, ed. M. Lyon, B. Lyon & H. S. Lucas (Brussels, 1983), p. 311.

<sup>117</sup> On the risks attendant on sieges, see Maurice H. Keen, *Chivalry* (London, 1984), pp. 221-2.

<sup>118</sup> *Scalacronica*, p. 149; BL, Stowe MS 553, f. 58.

<sup>119</sup> PRO, KB 27/481, m. 16d. The fates of Eure, the Middletons, Coupland and Heton are described

castle at Chillingham by Henry de Heton, the aggrieved son of his half-brother. And the earl of Northumberland, his brother Thomas, earl of Worcester, and his son, Hotspur, were all killed in rebellion against Henry IV.

Most of the fighting on the Scottish marches took the form of sporadic skirmishes, usually when raiding parties were intercepted - frequently by ambush, such as when five newly knighted Scots were lured into a quagmire by Sir Robert de Ogle, in 1341.<sup>120</sup> The Northumbrian squire (and future knight of the shire) William de Presfen managed to capture the earl of Moray in a border skirmish in August 1335. Ironically enough, Moray had been escorting the count of Namur (Queen Phillippa's cousin) back to the border, following his capture by the Scots at Edinburgh.<sup>121</sup> In 1355, Thomas Gray, the constable of Norham castle, pursued a retreating Scottish raiding party across the border - only to run into a carefully planned Scottish ambush; he was taken prisoner after a fierce fight.<sup>122</sup> Rather less resistance would have been offered by the Scots who were left behind and captured when William earl Douglas raided Penrith in 1380, apparently because they had got drunk on plundered wine and fallen asleep.<sup>123</sup> As these examples would suggest, defeat in such skirmishes usually led to imprisonment rather than death. Men-at-arms *were* killed on occasion: the Scots John de Haliburton and James Turnball both died in the fight that led to Gray's capture. However, such deaths were the exception rather than the rule; and this is brought out by William de Felton's letter to Edward III, describing the defeat of a major Scottish incursion in June 1340.<sup>124</sup> Amongst other matters, Felton mentions the fate of John,

below, pp. 150, 164, 173-4, 202.

<sup>120</sup> Above, p. 94.

<sup>121</sup> Bridlington, pp. 123-4 (which mentions that William was assisted by his brother, Michael); *Chronicon Walteri de Hemingburgh*, ed. Hamilton, p. 389; *Scalacronica*, p. 166; Nicholson, *Edward III and the Scots*, pp. 213-14. Fordun (ed. Skene, p. 359) notes sourly that Moray was captured by certain *ignobiles*, whom he does not deign to name.

<sup>122</sup> *Chronica Gentis Scotorum*, ed. Skene, i, 371-2; Bower, vii, 278-81; Wyntoun, vi, 207-9; King, 'Sir Thomas Gray's *Scalacronica*', pp. 26-8.

<sup>123</sup> Wyntoun, vi, 278-81; Bower, ed. Watt, vii, 380. According to Wyntoun, some of the drunkards were slain.

<sup>124</sup> SC 1/54/30 (calendared in *CDS*, v, no. 809).

Thomas and Henry Kerr, three Scots in William Douglas' company who were described as Felton's greatest enemies. Thomas and Henry were captured, but John had been killed in combat by a blow to the body which had gone through his haketon (quilted jerkin) and haubergeon (mail shirt).<sup>125</sup> The fact that the writer felt himself obliged to account for Kerr's death in such elaborate detail suggests that fatalities in such skirmishes were - literally - remarkably unusual. As this account indicates, the armour worn by a man-at-arms was usually sufficient to keep him alive in close combat.<sup>126</sup> Thus, Froissart's account of Otterburn relates how Ralph Percy was surrounded by Scots, and wounded so severely that he could barely speak for loss of blood. Nevertheless, he managed to surrender; his captors staunch his wounds, and he lived to fight another day.<sup>127</sup> There were undoubtedly those who did suffer serious wounds despite their armour, leaving them with permanent disabilities of one sort or another, though these are rarely recorded. The border ballad 'The Hunting of the Cheviot' describes, somewhat implausibly, how one of the Widdrington family fought on the stumps of his legs, after they had been chopped from under him; but this should probably be consigned to the realms of poetic exaggeration.<sup>128</sup> However, Roger de Horsley certainly lost an eye to an arrow when Berwick fell to the Scots in 1318 - though unlike King Harold, he lived to tell the tale. Rather less seriously, John de Coupland lost a couple of teeth when he captured King David; doubtless, the annuity of £500 subsequently awarded to him was of some comfort in this adversity. At the very least, the military elite of the borders would have sported some impressive scars.<sup>129</sup>

<sup>125</sup> 'Johan Ker est mort par iouster de guerre de vne coupe qe vn de mes vadletz liu ferst permy le corps et permy son haketon' et hauberion' (SC 1/54/30).

<sup>126</sup> Keen, *Chivalry*, pp. 220-1.

<sup>127</sup> Froissart, *Oeuvres*, ed. Lettenhove, xiii, 223.

<sup>128</sup> 'For when bothe his leggis wear hewyne in to, Yet he knyld and fought on his kny', 'The Hunting of the Cheviot', stanza 54, F.J. Childs (ed.), *English and Scottish Ballads* (London, 1904), p. 396.

<sup>129</sup> *Scalacronica*, ed. Stevenson, p. 144; Bower, vii, 258-60. The fact that so many did survive such serious wounds perhaps suggests that medieval battlefield medical treatment was not always as lethally inept as modern popular legend would have it. Unfortunately, however, there is very little evidence to suggest what just what forms such treatment took.

All of this was in accordance with the contemporary chivalric ethos, which dictated that defeated opponents should be allowed to surrender, and to ransom themselves, without dishonour.<sup>130</sup> Such attitudes are typified by the fate of Henry Percy at the battle of Otterburn, 1388; according to the author of the *Kirkstall Chronicle*, writing in the first years of the fifteenth century, he was captured by the earl of March, 'preferring captivity with honour, to freedom among the English at the price of shame'.<sup>131</sup> So what sort of treatment could prisoners normally expect during their honourable captivity? When Edward III granted the reversion of some lands to John de Strivelyn, to compensate him for his ransom, the writ specifically mentioned how he had been 'kept close prisoner for a long time'.<sup>132</sup> Certainly, some died in captivity. Thomas Blenkinsop, who appears to have been taken in 1388 (shortly after attending the Merciless Parliament), evidently died before his wife was able to complete arrangements for the payment of a ransom.<sup>133</sup> William Greystoke, being held at Dunbar castle as hostage for his more eminent elder brother Ralph, died of the plague; ironically enough, this is likely to have been the same plague which, according to Bower, was brought to Scotland by English prisoners taken at Penrith in 1380.<sup>134</sup> However, having gone to the trouble of taking prisoners, their captors would have been anxious to look after a potentially lucrative investment; after all, corpses did not fetch high ransoms. As a Scotsman who was prominent amongst Edward Balliol's supporters, John de Strivelyn may well have been singled for special (mis-) treatment by Balliol's opponents in what was a vicious civil war.<sup>135</sup> The mere fact that Edward III's writ drew attention to the conditions of his imprisonment suggests that such treatment was unusual. Generally, it would appear that the experiences of those held prisoner were none too bad. Thomas Gray, incarcerated in Edinburgh castle after his

<sup>130</sup> Andy King, 'A Helm with a Crest of Gold: The Order of Chivalry in Thomas Gray's *Scalacronica*', *Fourteenth-Century England* i, ed. Nigel Saul (Woodbridge, 2000), pp. 34-5.

<sup>131</sup> 'Malens cum honore captivus haberi quam cum pudoris dispendio inter Anglicos esse liberi', *The Kirkstall Abbey Chronicles*, ed. J. Taylor, Publications of the Thoresby Society xlii (1950), pp. 72, 117.

<sup>132</sup> *CPR 1334-8*, p. 168.

<sup>133</sup> NRO, ZSW 1/80; *Commons*, ii, 252. Despite his Northumbrian lands and connections, Blenkinsop represented Westmorland at this parliament.

<sup>134</sup> *Newminster Cartulary*, ed. Fowler, p. 298; Bower, vii, 380.

<sup>135</sup> Aside from the obvious evidence of his toponym, Strivelyn is twice described as 'Scottish' by *Lanercost* (ed. Stevenson, pp. 285, 293).

capture in 1355, evidently had the run of a well-equipped library and was allowed to pursue his literary and historical interests without interruption, for it was during his imprisonment that he started to write the *Scalacronica*.<sup>136</sup> When Ralph Lord Greystoke was captured at Horse Rigg in 1380, he had been on his way to Roxburgh castle (of which he was the newly appointed keeper) along with his household; Scottish sources relate the story that his captor, the earl of March, subsequently treated him to supper in the great hall of Dunbar castle - albeit a hall which had been adorned with Greystoke's own tapestries and ornaments, and where he was served from his own gold and silver vessels. The Northumbrians offered a similarly generous hospitality to their Scottish guests: William Douglas was dined at Tynemouth Priory following his capture at Neville's Cross - having tempted providence by sending a message to the prior before the battle, ordering him to prepare a dinner for the invading Scots. Nor were such civilities confined solely to the peerage; Matthew Redman, captured after Otterburn by the Scottish knight Sir James Lindsay, was able to invite his captor to dinner when Lindsay was himself taken by the bishop of Durham.<sup>137</sup>

However, despite such junketing, capture was undoubtedly an expensive misfortune - though just how expensive seems to have varied considerably. After what was coyly described as the 'descomfiture' of Bannockburn, many Northumbrians who had been captured there petitioned the king for aid. Sir Robert de Clifford, lord of Ellingham, had had to pay a ransom of £100, and lost horses and harness to the value of 100 marks; John de Heselrigg, listed as a man-at-arms in 1324, was held to a ransom of 200 marks, and claimed to have lost horses and armour to the same value; Sir William de Muschamp faced a ransom of £200; Sir Robert Delaval, one of 500 marks.<sup>138</sup> In France, tradition required a ransom roughly equivalent to a year's revenue

<sup>136</sup> King, 'Englishmen, Scots and Marchers', pp. 217, 220.

<sup>137</sup> Bower, vii, 396; Wyntoun, vi, 290-3; *Gesta Abbatum Monasterii Sancti Albani*, ed. H.T. Riley, RS 28ivb (3 vols, 1867-9), ii, 378; Froissart, *Oeuvres*, ed. Lettenhove, xiii, 236-7 (and see below, p. 122). While these stories may well have improved in the telling, there is no reason to doubt their basic veracity. After Poitiers, the Black Prince personally served his royal captive, King John, at table (Froissart, *Chroniques*, ed. Luce, v, 42-3, 63-4, 270; John Barnie, *War in Medieval Society. Social Values and the Hundred Years War, 1337-99* (London, 1974), pp. 72-3, 80).

<sup>138</sup> *Northumb. Pets*, pp. 161-2, 140-1, 148, 167-8; *Parl. Writs*, II, ii, 649. Robert de Clifford of

from the captive's lands - a tradition that was widely ignored; and there was no hard and fast rule which limited the size of a ransom demand. Generally, ransoms were based on a rough guess at the absolute maximum the captive would be able to scrape together.<sup>139</sup> As the above figures suggest, this tradition was rather more widely honoured on the Scottish marches, and there was obviously a rough correlation between an individual's wealth and the ransom that was required of him; after all, it was hardly in the interests of the captor to charge a ransom that his prisoner was completely unable to pay, and so end up with nothing. Thus Delaval, one of Northumberland's wealthier knights, having inherited four manors held as two and a quarter knight's fees, plus other properties, paid a considerably higher ransom than Clifford, who held just one manor and property in another.<sup>140</sup> Even so, raising the necessary cash could still prove difficult. A poignant letter survives from 1389, from Margaret, the widow of Sir Thomas de Blenkinsop, to a certain John de Bulkame of Newcastle, concerning the disposal of 'treasures and jewels' which she had given to Bulkame to secure Thomas' 'deliverance'; clearly, Thomas was now beyond any deliverance.<sup>141</sup>

There were undoubtedly some who were completely ruined by the necessity of raising a ransom. An oft-quoted example is the unfortunate Luke de Warton. Having served with Roger de Horsley in Berwick castle before it fell to the Scots in 1318, Warton was later captured in Northumberland and ransomed for forty-four marks; though this was a comparatively small amount, he was forced to mortgage his lands to Horsley, leaving him so destitute that he was reduced to begging the king for a place as a brother at St. Leonard's Hospital, York.<sup>142</sup> However, most of the gentry did not wait until the onset of destitution to put their case before the king, and petitions for aid towards paying a ransom were not uncommon; and nor did they always go unanswered. Admittedly, Edward II does not seem to have been willing to make direct contributions towards the ransoms of English captives - unless they were nobles, or

Ellingham is not to be confused with his more prominent namesake, Robert de Clifford of Westmorland, who was killed at the same battle.

<sup>139</sup> Keen, *The Laws of War*, pp. 158-9.

<sup>140</sup> *CIPM*, v, no. 353; *NCH*, ii, 236-9.

<sup>141</sup> NRO, ZSW 1/80.

<sup>142</sup> *Northumb. Pets*, p. 160; Tuck, 'War and Society', p. 50; Prestwich, *Armies and Warfare*, p. 108.

members of his own household.<sup>143</sup> On the other hand, he *was* prepared to give aid of various sorts to the gentry of the marches who had been impoverished by war - indeed, in as much as he depended on the same gentry for the day-to-day defence of the marches (such as it was), he had no choice but to bail them out - and capture and ransom by the Scots was an obvious and undeniable cause of impoverishment. Thus, in 1316, Robert de Raymes petitioned the king for a ten year grant of the herbage of a park in the forest of Inglewood, on the grounds that he had been captured and ransomed for 500 marks, and that his lands had been plundered; his petition was granted, and the following year he was granted an annuity of ten pounds 'in aid of his sustenance', from the wool-customs of Newcastle. Thomas Gray, the father of the chronicler, had been captured in a skirmish the day before Bannockburn; a year later, after his release from captivity, he received ten marks as a gift from the king 'in aid of his maintenance'. He was subsequently granted a pension of sixpence a day (in February 1320), to be paid by the sheriff of York.<sup>144</sup> Others were treated less generously; but if nothing else, a ransom demand could at least provide an effective argument for extracting arrears of pay from the treasury, which might otherwise remain unpaid for years or even decades.<sup>145</sup>

Edward III tended to be more open-handed. John de Strivelyn was given 250 marks, and granted the reversion of the Northumbrian manors of Belsay and Newland and other properties in the county (all forfeited by John de Middleton after the robbery of the cardinals), specifically to compensate him for his capture and ransom. Adam de Eshot was given the rather more modest sum of ten marks in October 1341, after being captured 'when in the king's service'.<sup>146</sup> Other prisoners received practical assistance with raising the capital to pay off a ransom. In 1356, Thomas Gray was granted a licence to export wool from Berwick, saving him the trouble and expense of

<sup>143</sup> Michael Prestwich, 'England and Scotland during the Wars of Independence', *England and her Neighbours, 1066-1453. Essays in Honour of Pierre Chaplais*, ed. M.C.E. Jones & M.G.A. Vale (London, 1989), pp. 195-6.

<sup>144</sup> *CPR 1317-21*, p. 28; *CCR 1323-7*, p. 202; *NCH*, x, 346; E 403/178, m. 5. It has to be said that Gray experienced considerable difficulty in getting the sheriff of York to actually pay-up (*CCR 1318-23*, p. 452; *CCR 1323-7*, pp. 202, 480).

<sup>145</sup> *Northumb. Pets*, p. 161; PRO, E 403/178, m. 5.

<sup>146</sup> BL, Cotton MS Nero C.VIII, f. 273; *CPR 1334-8*, p. 168; *CCR 1341-3*, p. 298.



moving it the seventy-odd miles from Norham to Newcastle, the nearest staple port.<sup>147</sup> In the same year, Robert de Preston came up with an imaginative scheme for paying off his ransom; he petitioned the king, claiming to have discovered a Scottish spy in the marches, and requested that he be allowed to arrest him. Edward granted the request, on condition that the alleged spy be brought before the council, so that his 'condition' could be more fully determined.<sup>148</sup>

Under Richard II, the crown proved increasingly ready to make direct contributions towards the ransoms of those captured on the northern marches. This was partly, perhaps, because of John of Gaunt's interest in border affairs and because of the growing influence of Henry Percy, created earl of Northumberland at Richard's coronation - after his capture at Otterburn in 1388, Henry Percy *le filz* (Hotspur) received a royal contribution of £3000 towards his ransom of 7000 marks, at the petition of the knights of the shires in parliament.<sup>149</sup> Nor was Percy the only beneficiary; David Holgrave, who had served in Percy's retinue, received 200 marks from the king to help pay his ransom, whilst Nicholas Raymes was given fifty marks 'in auxilium redemptionis siue acquietandi, et consideratione magno paupertatio in quam dominus Nicholas per nimiam extollentem redemptionem per inimicas Regis de Scot'.<sup>150</sup> Rather less helpful was a grant made by Richard to Alan Horsley, who was taken in Hotspur's company, of lands in Teviotdale, forfeited by their Scottish tenants for rebellion. This was a renewal on more favourable and more permanent terms of an earlier lease which it seems had not been put into effect; but given the military situation on the Scottish marches after Otterburn, it is hardly likely that Horsley was able to make very much of his king's easy generosity.<sup>151</sup> Another factor behind the crown's generosity was undoubtedly the increasingly effective administration of the Laws of Marches, through the system of Wardens.<sup>152</sup> When Ralph Lord Greystoke was captured in 1380 (shortly after his own appointment as a warden of the east march), he

<sup>147</sup> *Rot. Scot.*, i, 798.

<sup>148</sup> *CPR 1354-8*, p. 447.

<sup>149</sup> *CDS*, iv, no. 420; *Westminster*, p. 400.

<sup>150</sup> PRO, E 403/521, mm. 1, 3; E 403/524, m. 17; Goodman, 'Introduction', p. 22.

<sup>151</sup> *Rot. Scot.*, ii, 99 (1389). The original lease had been arranged in 1385, at the request of the earl of Northumberland (*CDS*, iv, no. 248).

<sup>152</sup> Neville, *Violence, Custom and Law*, pp. 46-95.

subsequently argued in parliament that the Scots had been provoked by the piratical activities of Sir William de Hilton, who had seized two Scottish vessels and taken booty said to be worth £10,000. After inquiries headed by John of Gaunt, Greystoke received help with his ransom of 3000 marks, while in November 1382, the Northumbrian esquire John de Cresswell, captured on the same occasion and ransomed for forty pounds, was awarded 'goods to the value of forty marks from the goods of certain Scots taken at sea during the truce by men of Newcastle' - presumably part of the same booty which had caused the trouble in the first place.<sup>153</sup> Whether Cresswell was actually able to put his grant into effect is another matter; amongst the named 'men of Newcastle' who were expected to compensate him were William de Bishopdale, who had been the town's mayor at the time of Hilton's raid, and Adam de Bulkam, subsequently elected mayor in 1385, who thus both wielded considerably more influence than Cresswell.<sup>154</sup> Richard's policy of helping captives - however ineffectually - was maintained by Henry IV, anxious to curry favour after his usurpation of the throne. In September 1400, John de Roddam received a gift of five pounds towards his ransom, following his capture 'in battle on the marches' (probably one of the few skirmishes during Henry's generally uneventful Scottish campaign); in November 1401, Richard de Ogle received a rather more generous grant of 100 marks towards his ransom, from the customs of Newcastle.<sup>155</sup>

Nor was the crown the only source of aid; while there were those, such as Roger de Horsley, who were only too happy to take advantage of the misfortunes of their neighbours to acquire their lands, others were prepared to lend a helping hand. When Henry de Ogle was captured, at some time before 1319, he was ransomed 'with the help of his friends' (*par laide de ses amys*); likewise, Walter de Goswick, captured at the fall of Berwick in April 1318, was also ransomed with a little help from his

<sup>153</sup> *Rot. Parl.*, iii, 129; *Northern Petitions*, ed. Fraser, pp. 149-53; *CPR 1381-5*, p. 182; Neville, *Violence, Custom and Law*, pp. 73, 86. Greystoke also received some help from another source: his mother was able to extract the magnificent total of £7 13s 10d from the burgesses of Morpeth as a contribution towards their lord's ransom (*Newminster Cartulary*, ed. Fowler, p. 298).

<sup>154</sup> *Early Deeds Relating to Newcastle upon Tyne*, ed. A.M. Oliver, SS cxxxvii (1924), app., pp. 218-19.

<sup>155</sup> *CDS*, iv, no. 40; *CPR 1399-1401*, p. 371.

friends.<sup>156</sup> Such concern for the plight of fellow warriors is evident in the exchanges of prisoners, which were a not uncommon feature of the wars. Sometimes these exchanges were arranged more or less on the spot, as in the case of the newly-knighted Scot Sir William Erskine, captured in a skirmish during the Weardale campaign. As Barbour put it, describing the same campaign:

And men tane on aythr party,	(And men were taken by both sides,
And yai yat war tane on a day	And those that were taken on one day,
On ane oyer changyt war yai	They were exchanged on another) <sup>157</sup>

Obviously, this worked to the advantage of the prisoners concerned, for they saved the expense of a ransom altogether - but equally clearly, they were not to the immediate benefit of the captors, who stood to lose out financially, and these exchanges clearly demonstrate that warfare was not seen simply in terms of individual loss or gain. Nor was the crown averse to such arrangements: thus, in 1380, Patrick de Cromby, a Scot taken at sea by the men of Lynn, was handed over to Walter de Tailboys to help with his ransom.<sup>158</sup> Rather more wide-ranging was the provision in Edward I's settlement with the Scots in 1304, for the release of all prisoners, and the remission of any outstanding ransom money due to the captors - which must have been somewhat galling for those who had paid their ransoms promptly.<sup>159</sup>

In general, periods of captivity in Scotland were remarkably short. Robert de Umfraville, earl of Angus, was one of those who escaped Bannockburn and found sanctuary at Bothwell castle, only to be caught when the castle was handed over to the Scots; however, he was released at Christmas - though evidently not as a gesture of

<sup>156</sup> *Northumb. Pets*, p. 161; *Northern Petitions*, ed. Fraser, p. 68.

<sup>157</sup> *Barbour*, XIX, ll. 376-84, 526-8; Hay, 'Booty in Border Warfare', p. 153.

<sup>158</sup> *Rot. Scot.*, ii, 131. Tailboys appears to have been captured on the same occasion as Lord Greystoke; and Cromby was probably one of the victims of the piratical activities of William de Hilton which had provoked the Scots to ambush Greystoke in the first place (cf. *Northern Petitions*, ed. Fraser, pp. 149-53).

<sup>159</sup> *Documents and Records*, ed. Palgrave, p. 285. There is no evidence that Edward offered any compensation to his men for any ransom money they lost thereby; on the other hand, there were some of English who probably benefitted from this provision, such as Hugh de Audley and his men, captured at Melrose Abbey by a surprise attack, in the spring of 1303 (*Scalacronica*, pp. 126-7).

seasonal goodwill, for he was put to a very heavy ransom.<sup>160</sup> When Thomas Gray the elder was captured at Bannockburn, he must have been held for less than a year, for in April 1315, he was appointed to a commission of oyer and terminer, a task he could hardly have undertaken from captivity in Scotland. Similarly, John de Eure, captured at the same battle, was free again by July 1315, when he was serving on the marches with Aymer de Valence.<sup>161</sup> Edward III's grant to John de Strivelyn mentioned how he had been imprisoned for a long time; but the terms of this grant, made in October 1335, suggest that he had already been released, just over a year after his capture.<sup>162</sup> In August 1377, John de Lilleburn was captured in a skirmish at Carham (along with his brother), shortly after the 'bloody fair' of Roxburgh; yet he was back in England by 30 October, when he received letters of protection for serving in the garrison of Berwick castle.<sup>163</sup> Here - and for once - the close proximity of Scotland must have proved a distinct advantage. Like his father, Thomas Gray the chronicler was imprisoned for less than a year;<sup>164</sup> as he whiled away his hours in Edinburgh castle, he was just two days ride from his family *caput* at Heton in Northumberland, making the whole business of negotiating, arranging and paying a ransom very much quicker. Confirmation of this is provided by Margery de Goswick, a neighbour of the Grays, who was given a safe-conduct for just twelve days, while she went to Scotland to secure the freedom of her husband John, in October 1322.<sup>165</sup>

Many of these quick releases were made possible by the substitution of a hostage, who stayed in prison while the original captive returned home to organise the payment of his ransom. We have already seen how William de Greystoke was held at Dunbar

<sup>160</sup> *Lanercost*, p. 228.

<sup>161</sup> *Trivetii Continuatio*, ed. Hall, p. 15; *Scalacronica*, p. 141; *CPR 1313-17*, p. 250; E 101/15/6, m. 1. Gray had already benefitted from the general release of prisoners in 1304, having been one of those captured at Melrose abbey with Hugh de Audley.

<sup>162</sup> See above, p. 114. Sir Richard Talbot, captured on the same occasion as Strivelyn, was released in the summer of 1335, after paying a ransom of 2000 marks (*The Chronicle of England by John Capgrave*, ed. F.C. Hingeston, RS 1 (1858), p. 204).

<sup>163</sup> Bower, vii, 371; Wyntoun, ed. Amours, vi, 270-3; *CDS*, v, no. 4044.

<sup>164</sup> King, 'Sir Thomas Gray's *Scalacronica*', p. 28. Gray did not waste this year, for his imprisonment gave him the leisure time to begin writing the *Scalacronica*.

<sup>165</sup> *CPR 1321-4*, p. 207. John had presumably been captured during Edward's futile Scottish campaign of that year.

as a hostage for his brother Ralph. When the notorious *schavaldour* Jack le Irish captured a Scot, John de Stockhaugh, at the beginning of 1315, Stockhaugh provided two hostages who were imprisoned in Bamburgh castle, where they received a hand-out of 2d. a day, at royal expense. They were still there a year later. At about the same time, Robert de Raymes left his son in Scotland as a security for his ransom of five hundred marks. Of course, such arrangements required a degree of trust between captive and captor; and chivalric ideals helped to make such trust possible. A striking example is provided - appropriately - by Froissart, who relates how Sir Matthew Redman fled the field of Otterburn with the Scot Sir James Lindsay in hot pursuit. After a hard fought hand-to-hand combat, Redman yielded. He then requested that he be allowed to return to Newcastle; Lindsay was perfectly happy to accede to this, and it was agreed that Redman should present himself at Edinburgh in three weeks time - though in the event, Lindsay was himself captured later that day, and got to meet Redman again rather sooner than he had anticipated.<sup>166</sup>

Nor was this merely a romantic gloss supplied by Froissart's chivalric predilections; the same ideals of chivalry were invoked by the Northumbrian esquire Thomas Muschamp, complaining of the bad faith of John de Lilleburn. Following his capture at a skirmish near Carham,<sup>167</sup> Lilleburn wrote to Muschamp, asking him to remain hostage for him in Scotland for three weeks. Muschamp accepted, and Lilleburn swore a solemn oath in front of witnesses that he would pay 600 marks or surrender himself to his captors again. In the event, he did neither of these things, and Muschamp was reduced to petitioning the king for help, denouncing Lilleburn's actions as 'Contrarie to the order of Chivellrie the which all knightes & gent. oughte to have kepte inviolable, by reason whereof there is risen a scandall and infamie to the English nacion by the Scotts'.<sup>168</sup> As Muschamp's complaint suggests, the honouring of ransom arrangements was absolutely central to fourteenth-century concepts of chivalry, as much on the Scottish borders as on the battlefields of France; and the

<sup>166</sup> E 101/376/7, f. 62; Froissart, *Oeuvres*, ed. Lettenhove, xiii, 232-7. For Raymes and Greystoke, see above, pp. 114, 117.

<sup>167</sup> Bower, vii, 370; Wyntoun, ed. Amours, vi, 270-3.

<sup>168</sup> The petition was recorded by a sixteenth-century herald (*Pedigrees Recorded at the Herald's Visitations of the County of Northumberland*, ed. Joseph Foster (Newcastle upon Tyne, n.d.), p. 91).

ubiquity of such ideas helped to create the degree of trust necessary for the early release of prisoners, so that they could raise their ransoms.<sup>169</sup> And on those occasions when the social imperative of chivalric custom proved insufficient to prevent such abuses, there were avenues for aggrieved parties to obtain redress. In particular, the increasingly judicial role of the wardens of the marches came to provide a regular forum for the settlement of ransom disputes, both across the border and with fellow countrymen.<sup>170</sup> When Alan de Heton was captured by William Douglas, *circa* 1351-2, he persuaded Thomas Gray to stand as a pledge for him; Heton then defaulted on his agreement with Douglas, leaving Gray bound to surrender himself to prison. Gray, petitioning for remedy, addressed not the king, but rather his lieutenant in the Marches, William de Bohun, earl of Northampton.<sup>171</sup>

Theoretically, ransom arrangements were a purely private arrangement between the captor and his prisoner - though subject to the customary rake-off due to the captor's lord. However, there was an obvious tension between the rights of a captor, who would naturally be anxious to realise a potential profit by ransoming his prisoner as quickly as possible, and the interests of the king, who could hardly welcome the prospect of his recently defeated opponents quickly being released to fight against him another day;<sup>172</sup> and arrangements for the ransoming of prisoners were subject to sporadic interference from the kings of both England and Scotland, as the settlement of 1304 suggests. Edward I steadfastly persisted in regarding the Scots as his rebellious subjects, rather than as subjects of an independent foreign realm; by

<sup>169</sup> King, 'A Helm with a Crest of Gold', pp. 34-5. In most cases, such agreements were honoured without question, as when Alexander Heron returned himself to captivity in Scotland in 1402, having failed to raise his ransom money by the appointed day (*CCR 1399-1402*, p. 463).

<sup>170</sup> Hay, 'Booty in Border Warfare', pp. 156-7.

<sup>171</sup> PRO, DL 34/1/21 (see Appendix 1, no. iv, below). This letter should probably be dated to between October 1350, when William de Bohun, earl of Northampton, was appointed *capitaneus* of the marches, and May 1352, when he was replaced. Bohun was re-appointed as *custos* of the marches in March 1356, but as Gray had himself been captured in October 1355, he is unlikely to have been in any position to act as a pledge for Heton after this. The letter presumably found its way into the Lancastrian archives when Henry Bolingbroke married Mary de Bohun.

<sup>172</sup> Though of course, the kings of England stood to profit from a share of the ransoms gained by those in their pay (for which, see now Ayton, *Knights and Warhorses*, pp. 127-37, which supersedes Hay, 'Booty in Border Warfare', pp. 157-8).

Edward's definition, the Scots were therefore guilty of treason, and the usual customs of war between sovereign kingdoms need not apply.<sup>173</sup> Many of those taken at Dunbar in 1296 languished in English prisons for years, while some of Robert Bruce's adherents, captured at Methven, were hanged as traitors. However, this harsh policy tended to fall into abeyance during the reign of his feckless son - if only because the catastrophic collapse of the English military effort against Scotland left precious few Scots in English hands. Edward II would undoubtedly have preferred to maintain crown control over prisoners; after being captured at Alnwick, Roger de Acton was brought all the way to Sandwich to be handed over to the king, in July 1315.<sup>174</sup> However, in an effort to reward his followers at a time of chronic financial crisis, Edward was soon reduced to granting his captains the right to keep all of the ransoms of any Scots they could capture, without taking the usual cut due to him as their paymaster - albeit, with great reluctance. In the aftermath of Bannockburn, when John de Whelplade was granted the right to keep any booty he seized from the king's enemies, it was stipulated that any prisoners he captured should not be released without the king's permission. But a year later, when the military situation had deteriorated even further, the similar grants made to Thomas de Fishburn and to Anthony de Lucy allowed them both to ransom any prisoners, keeping all the ransom money for themselves; the king merely reserved the right to the custody of any such prisoners as he should specifically demand, for whom he would be bound to pay 100 marks.<sup>175</sup>

Edward III initially returned to his grandfather's harsher stance; one hundred Scottish prisoners were beheaded on his orders on the morning after Halidon Hill. This hard line was soon dropped - perhaps because so many of his own followers had

<sup>173</sup> Prestwich, 'England and Scotland during the Wars of Independence', pp. 190-4. Edward's conduct towards the Scots is examined in detail by Matthew Strickland, 'A Law of Arms or a Law of Treason? Conduct in War in Edward I's Campaigns in Scotland, 1296-1307', *Violence in Medieval Society*, ed. Richard W. Kaeuper (Woodbridge, 2000).

<sup>174</sup> E 101/376/7, f. 40. It should be noted that his captor, John de Felton, was a loyal knight of the royal household, so he may have been more ready to hand over his prisoner than some of his fellow marchers.

<sup>175</sup> *Rot. Scot.*, i, 131; *CPR 1313-17*, p. 373. A like grant on similar terms was made to David, earl of Athol, in December 1316, at the instance of Aymer de Valence (*CPR 1313-17*, p. 602).

suffered capture by the Scots, and so had a vested interest in maintaining chivalric standards - but Edward remained determined to control the ransoming of prisoners. When the earl of Moray was captured by William de Presfen, he was taken into royal hands, 'for the greater calm, peace and security' (*pro majore quiete, tranquillitate et securitate*) of the people of the marches and of Scotland; and so were most of the prisoners captured at Neville's Cross.<sup>176</sup> Nevertheless, having gone to considerable lengths to gain the custody of captured Scots, Edward did not generally prevent them from ransoming themselves, albeit on his own terms. However, the crucial change should have come with the capture of David II. Once it had been decided to ransom him for cash, it obviously became necessary to recognise him as the rightful king of Scots; and it followed that Scottish prisoners ought to be treated according to the normal customs of war pertaining to conflicts between kingdoms. Nevertheless, this failed to bring about a complete cessation of royal interference; the Percy rebellion of 1403 was famously provoked - at least in part - by a squabble with Henry IV over prisoners taken at Humbleton Hill. But such royal interference did not generally preclude Northumbrians from profiting from their prisoners, for they were usually rewarded for their forbearance in handing them over to the king. The earl of Moray's

**Table 3. Scots captured by Northumbrian Men-at-Arms at Neville's Cross**

Robert Bertram	Malcolm Fleming, earl of Wigtown; a half share of William Douglas
John de Clifford	Walter de Haliburton
John de Coupland	King David II
Walter de Creyk	William de Moray
William Delaval	John Giffard
John de Eure	Alexander de Rameseye
Thomas Gray	David Graham & John de Haliburton
William Heron	Laurence Gilibrande
Alan de Heton	John de Valence
John de Haryngton le fitz	Adam de Fullarton
Robert Manners	William Bailly
Robert de Ogle	The earl of Fife, Henry de Ramsey & Thomas Boyd; & a half share of William Douglas
Ingram de Umfraville	John de Preston
John Umfraville	Third share of John Steward, bastard
Gerard de Widdrington	Gilbert de Carrick & Nicholas de Cnokdolian

<sup>176</sup> *Melsa*, ed. Bond, ii, 370; Wyntoun, ed. Amours, vi, 12-13 (according to whom, *all* the Scottish prisoners taken at Halidon were slaughtered); Nicholson, *Edward III and the Scots*, p. 138; *Fædera*, II, ii, 923; *Rot. Scot.*, i, 678.



Roger de Widdrington ... Makepeth

Sources: *Rot. Scot.*, i, 678; *CPR 1345-8*, pp. 285, 314; *Galfridi le Baker*, ed. Thompson, p. 88; *Lanercost*, p. 351.

captor, William de Presfen, was granted the vill of Edrington, Berwickshire, and a mill at Berwick, by way of recompense; Robert Bertram was granted £100 in November 1338, 'for the ransom of Henry Litel, a Scottish prisoner of war of the said Robert, whom the king has kept in his power'. The spectacular English victory at Neville's Cross, in particular, provided a fine crop of prisoners for the Northumbrian gentry; John de Clifford was granted 400 marks for Sir Walter de Haliburton, and Robert de Herle £100 for Sir William de Vaux. And in November 1359, William Roddam was granted eighty pounds for capturing William de Tours 'valet of Scotland'.<sup>177</sup> Many of the fine tower-houses which graced the landscape of fourteenth-century Northumberland must have been built on the profits from Scottish prisoners.

Prisoners did not, however, always bring unalloyed benefit to their captors. Robert Bertram (by then the sheriff of Northumberland), captured William Douglas and the earl of Wigtown at Neville's Cross, and duly received a letter of thanks from a grateful Edward III. Douglas was handed over to the custody of the king in return for an annuity of two hundred marks, but Wigton remained at Bertram's impressive new castle at Bothal due to ill-health (*propter infirmitatem*); this infirmity did not, however, prevent him from suborning his guard, Robert Delaval, and he escaped back to Scotland. A furious Edward ordered the unfortunate Bertram to be imprisoned in the Tower of London, and he was replaced as sheriff; and though he was soon pardoned, this was only at the request of Henry, earl of Lancaster. Delaval forfeited his lands as an adherent of the Scots.<sup>178</sup>

For their part, the Scots had always based their diplomatic stance on a claim to absolute sovereignty, and therefore generally felt obliged to treat their English

<sup>177</sup> *Fædera*, II, ii, 923; *CPR 1338-40*, p. 177 (and cf. *CPR 1340-3*, p. 219); *CCR 1346-9*, p. 477; *CDS*, iii, no. 1535; *ibid.*, iv, no. 40; and see Table 3.

<sup>178</sup> *Fædera*, III, i, 91-2; *Rot. Scot.*, i, 678; *CPR 1345-8*, pp. 225, 314; *Lanercost*, p. 351; *CPR 1345-8*, p. 420, 552. It is not impossible that Bertram actually ransomed Wigton, against the king's orders, and that Wigton's 'escape' was invented to cover-up this misdemeanour.

prisoners strictly according to the customs of war - if only to stake out the moral high ground; but this did not prevent Scottish kings from intervening in the process of ransoming English prisoners on occasion. Thomas Gray, for instance, was captured by the earl of March, but imprisoned in the royal castle of Edinburgh - though in this case, the intervention presumably came from Robert the Steward, guardian of Scotland during David II's involuntary absence in England. But the most notorious example is that of Walter de Selby, captured when Liddel peel fell at the start of the Scottish invasion of 1346. According to Geoffrey le Baker, Selby surrendered to the Scots, 'who took him graciously, to be held for ransom according to the custom used in French and Scottish wars'; but David would have none of this, and ordered his immediate execution, and that of his two sons for good measure - though his youngest son, James, was spared out of regard for his tender years. Baker adds his own comment that 'with God as my witness, I have enquired of many, but have never heard that this knight ever perpetrated any treachery against the King of Scots, or any Scot.'<sup>179</sup> However, Selby had certainly perpetrated treachery against the King of England, as a leading lieutenant of Gilbert de Middleton; Middleton's adherents had been treated as adherents of the Scots by the English crown at this time, and Selby seems to have remained in the Scottish allegiance for a good three years after Middleton's rebellion had collapsed. Nevertheless, he had subsequently managed to make his peace with Edward III; and he compounded his tergiversation by serving with Edward Balliol, who granted him lands in Roxburghshire confiscated from William Wishart, who had remained loyal to the young David II.<sup>180</sup> It is thus hardly surprising that the unfortunate Selby was now treated as a traitor to the Scots - but even so, even Scottish chroniclers were uneasy about the affair. Bower choose to pass

<sup>179</sup> *Chronicon Galfridi le Baker de Swynebroke*, ed. E.M. Thompson (Oxford, 1889), pp. 86-7; CDS, iii, no. 1670; M.H. Keen, *The Laws of War in the Late Middle Ages* (London, 1965), pp. 45-7. Assuming Baker's detailed account of this scene did not stem largely from his own imagination, it was presumably derived ultimately from one of the many Scottish prisoners taken at Neville's Cross. Selby's execution is also mentioned - and denounced - in *Lanercost* (ed. Stevenson, pp. 345-6) and by Avesbury, ed. Thompson, p. 376.

<sup>180</sup> *CPR 1317-21*, p. 335; *CPR 1321-4*, p. 37; *CPR 1327-30*, p. 36; *Rot. Scot.*, i, 820; Prestwich, 'England and Scotland during the Wars of Independence', p. 196.

over it in silence, while some manuscripts of Wyntoun's chronicle went so far as to imply that the Scottish defeat at Neville's Cross was a judgement for this sin:

Foroutin mercy þai slew þen.	(Without mercy they slew them then.
Thai slew þaim all oure cruelly;	They slew them all too cruelly;
Forthy þe pane followit trewly. <sup>181</sup>	For which the penalty followed truly)

However, the Scottish marches were by no means devoid of examples of such fatalistic bravery. Froissart recounts the tale of John Waltham, one of Henry Percy's squires, who swore an oath at a Northumbrian feast that at the next battle between the English and the Scots, he would prove himself the best combatant on the field, or stay dead on the spot; unfortunately, he met with the latter fate, having refused to surrender despite the urging of his fellows.<sup>182</sup>

The net result of all this was that for many Northumbrians, capture by the Scots was not nearly as disastrous as is often supposed. For instance, in *circa* 1316, Robert de Raymes claimed to have ransomed himself for 500 marks, and that his castle had been repeatedly sacked by the Scots to the tune of £1000 worth of damages (albeit by Raymes' own estimate);<sup>183</sup> nevertheless, he was still able to represent Northumberland in the parliament of 1322. His son inherited an undiminished patrimony, and went on to serve as sheriff in 1347. Similarly, the careers of neither Thomas Gray the chronicler nor his father suffered in the least from their sojourns in Scotland; nor was their continued accumulation of landed wealth at all impeded. Paradoxically, in some cases, capture by the Scots may even have helped to advance the prospects of a man-at-arms. Right at the beginning of his career, John de Coupland 'þat wes þan bot a rycht pure [poor] sympill man', saved the earl of Salisbury from being captured by a

<sup>181</sup> Wyntoun, ed. *Amours*, vi, 174 (cf. p. 175n).

<sup>182</sup> Froissart, *Oeuvres*, ed. Lettenhove, xiii, 228-9. Froissart names the man as 'Thomas Waltem', but given Froissart's carelessness with names, he can safely be identified with 'Johannes Waltham', Percy's standard-bearer, whose valiant death at Otterburn is mentioned by *Kirkstall Abbey Chronicles*, ed. Taylor, p. 117.

<sup>183</sup> *NCH*, x, 346. We may reasonably suspect Raymes of a degree of exaggeration in his claims. A middling knight, whose lands comprised a moiety of a small barony and a couple of manors (*CIPM*, vi, no. 597), is hardly likely to have had £1000 worth of wealth to be plundered.

Scottish trick at the siege of Dunbar castle in 1338 - though at the cost of being taken himself.<sup>184</sup> This must have put the earl in Coupland's debt, and as Salisbury was a favourite of Edward III, it was probably this incident that led to Coupland's entry into royal service as a valet with an annuity of twenty pounds.<sup>185</sup>

Some undoubtedly *were* ruined by ransom demands, such as Luke de Warton; but the example of men such as John de Coupland, Robert de Raymes and the Grays and the Lilleburns shows that financial and social ruin was not the inevitable consequence of capture by the Scots. And whilst pitched battles undoubtedly were very dangerous, as a whole, military service against the Scots was not actually very risky at all. The *mores* of fourteenth-century chivalric custom acted, in effect, as a medieval Geneva Convention (albeit in a somewhat Thatcherite mould), regulating the treatment of those prisoners who could afford a ransom; this ensured that, providing he could survive the indiscriminate killing of a full-scale pitched battle, which were few and far between, the worst that the average Northumbrian man-at-arms had to fear was a comparatively short period as a guest of the Scots, coupled with a ransom that was unlikely to be financially crippling - and for which he might anyway receive help from the king. Against this, military service offered good rates of pay and reasonable prospects of booty and ransoms,<sup>186</sup> and - perhaps more importantly - access to royal patronage in the form of appointments to crown office, grants of land and administrative and legal favour. In these circumstances, it is hardly surprising that the gentry of the northern marches remained so solidly in favour of the continuance of the Scottish wars, despite the destructive impact of these same wars on their own home country. The Scottish wars proved a fertile source of gainful employment for the gentry of the marches; and the force of fourteenth-century chivalric custom ensured that the occupational hazards of this employment were reduced to an acceptable

<sup>184</sup> Wyntoun, vi, 86; Bower, vii, 130.

<sup>185</sup> CDS, iii, no. 1304. Salisbury may also have helped with Coupland's ransom, for in July 1338, the latter took out letters of protection to accompany the earl to Flanders (*Fædera*, II, ii, 1048). As Coupland was not then a wealthy man, it is likely to have been the earl's resources that brought about such a quick release.

<sup>186</sup> It is worth noting that whilst the prospects of booty are generally held to have been much better in France, by the same token, ransoms appear to have been rather higher.

minimum - and that most of Northumberland's *milites in armis strenui* died peacefully in their beds.

## WAR AND DISORDER<sup>1</sup>

### **The Schavaldours**

In June 1313, Richard de Kellawe, bishop of Durham, excused himself to the king for being unable to levy any money from the goods of the parson of Whickham, on the grounds that he had been pre-empted by ‘fures et shavaldos’ (robbers and *schavaldours*). This is the earliest surviving strictly contemporary use of the term ‘schavaldour’, a neologism of obscure provenance which seems to have been coined to describe bands of Englishmen engaged in criminal activity in the marches.<sup>2</sup> The coining of the term would appear to tie in very closely with the renewed outbreak of Scottish raiding, which began to make a serious impact on northern England in the aftermath of Edward’s ineffectual expedition of 1310-11, so was the emergence of the *schavaldours* connected with these raids?

By 1312, Bishop Kellawe was already claiming that it was not safe to send a sum of sequestered money to the king, ‘propter periculum depredationis in itinere, per predones insidiantes itinerantibus multipliciter hiis diebus’ (on account of the danger of robbery on the journey, due to the ever greater number of bandits lying in wait for travellers these days), and due to the activities of the Scots.<sup>3</sup> However, this may well have been just an excuse to avoid sequestering the money in the first place, for the sequestration appears to have related to a dispute between a widow and a certain

<sup>1</sup> The title of this chapter is plagiarised from Anthony Musson & W.M. Ormrod, *The Evolution of English Justice. Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), p. 78.

<sup>2</sup> *RPD*, ii, 943 (in reply to a royal writ dated 28 May). For various suggestions as to the word’s derivation, see *Middleton*, app. A, pp. 3, 11 (none of which are especially convincing), the version most commonly peddled being that it is a corruption of *chevalier* (*RPD*, iii, p. cii; McNamee, *Wars of the Bruces*, p. 157); however, if this *were* the origin of the term, it is perhaps surprising that it was never used simply as a straightforward synonym for *chevalier*.

<sup>3</sup> *RPD*, ii, 866-8.

William, Nicholas and John de Kellawe, who had the keeping of her husband's lands during the minority of the heir, in which the king had intervened on behalf of the widow. As William, Nicholas and John were undoubtedly the bishop's relatives, and as he would have been anxious to undermine any attempt (however legitimate) to intervene in the bishopric's affairs, the bishop had every incentive to exaggerate the danger of robbery, to cover-up his own reluctance to put the king's orders into effect.

Writing in the 1330s, Robert Graystones (the historian of Durham Priory), describes the ruthless measures Kellawe had to take to suppress rebellious *schavaldours* in his bishopric. One of those caught by this crack-down was John de Weredale, described by Graystones as a 'schavaldum vel predonum' (a *schavaldour* or plunderer). In November 1312, Weredale was killed on Holy Island by one of the bishop's household retainers in the garrison of Norham castle; but unfortunately, he turned out to have been a yeoman of the royal household. Edward was furious; and accusing Kellawe of having personally ordered Weredale's death, he tried to persuade the Pope to have him translated to a different see.<sup>4</sup> But there is good reason to suppose that this account was particularly biased. Weredale, a minor landowner in the palatinate, may have been one of the 'foresters of Weardale' who were brought by Bek to besiege Durham Priory in August 1300, when a squabble over visitation rights got out of hand. Certainly, he was high enough in Bek's favour to be rewarded with a grant of lands, in March 1309; and amongst the witnesses to this grant were Philip Darcy and Gilbert de Scaresbek, both of whom had played a prominent role in these unsavoury events.<sup>5</sup> Graystones, one of the monks who was on the receiving end of this violence, is unlikely to have had any high opinion of an adherent of the Priory's erstwhile arch-enemy. Indeed, Kellawe had himself suffered at the hands of Bek's enforcers, and as it was one of his own household retainers who killed Weredale, the

<sup>4</sup> *Historiæ Dunelmensis Scriptores Tres*, ed. James Raine, SS ix (1839), p. 94; *CPR 1307-13*, p. 542; *CCW 1244-1326*, p. 385. For the date of Graystone's work, see H.S. Offler, *Medieval Historians of Durham* (Durham, 1958), pp. 14-15. Greystanes notes that Edward was already disenchanted with Kellawe over the latter's underwhelming support for Piers Gaveston; however, the bishop was able to buy his way back into royal favour with a gift of 1,000 marks, and a warhorse 'of no small value' (*Historiæ Dunelmensis*, p. 94).

<sup>5</sup> *Greenwell Deeds*, AA, 4th ser., iii (1927), nos. 108-10; *Records of Antony Bek*, ed. C.M. Fraser, SS clxii (1947), pp. 153-4; *Historiæ Dunelmensis*, ed. Raine, p. 76; Fraser, *Anthony Bek*, pp. 130-52.

incident may have had as much to do with the working out of personal grudges as with the maintenance of law and order. Other incidents of disorder in Northumberland at this time also appear to have been unrelated to the war; for instance, the illegal impounding of 440 cattle by a gang of petty Northumbrian landowners (including one John de Roddam, of whose family we shall hear more) at Bewick, an outlying member of the liberty of Tynemouth Priory, was merely another routine example of the many disputes which plagued this dependency of St Albans throughout its history.<sup>6</sup>

Rather more significant evidence of disorder is provided by the murder of Arnald de Cames, a royal sergeant-at-arms, at Bolton near Alnwick, in April 1312; and when Walter de Goswick leased Durham Priory's holdings on Holy Island and in Islandshire for two years, from All Saints 1313, the lease included the telling provision that the Priory was to make good any losses suffered by Walter, in the event of damage or destruction by the English or the Scots (in that order), suggesting that the killing of John de Weredale had not put an end to the depredations of his men.<sup>7</sup> However, it was after Bannockburn, when the English war effort largely collapsed amidst the squabbling and recriminations of the king and his magnates, that disorder started to become a major problem - disorder which can clearly be linked with the disastrous military situation. Symptomatic of this was the robbery and murder (in April 1315, near Norham), of a party of Scots who were returning from a journey to England under safe-conduct, with goods and money to pay off the ransom of Sir William le Latimer (one of the Englishmen captured at Bannockburn). The alleged perpetrators of this misdeed were a gang of Northumbrians, including John son of Walter de Goswick; Walter was then serving as constable of Norham castle.<sup>8</sup> Further trouble erupted in August, when several men were convicted and hanged by royal justices, for attempting to betray the town of Berwick to the Scots for cash. It is possible that these

<sup>6</sup> *CPR 1307-13*, pp. 475, 542 (April 1312). A full account of the priory's history is provided by *NCH*, viii.

<sup>7</sup> 'Et si contingat dicta tenementa, terre, reddit' aut possessiones durate termo predicto per Anglicos aut Scotos deformati uel consumpti in toto uel in parte', *DCD*, Reg. II, ff. 34v.-35; *CPR 1307-13*, p. 474.

<sup>8</sup> *CPR 1313-17*, p. 250 (Walter was constable of Norham by January 1316 - *NDD*, p. 101); *RPD*, iv, 492. Latimer had been captured at Bannockburn (*Melsa*, ii, 331; *Triveti Annalium Continuatio*, ed. Hall, p. 15).



alleged traitors had simply been trying to buy a truce; but whatever the rights and wrongs of the case, this rough justice certainly provoked the violent resentment of some ‘gentz du Northumbr’. Their ‘chevitayn’ was Sir John de Lilleburn, and the gang included Robert de Bolton, the Roddam brothers and Alexander Purveys. They swore to kill any man of Berwick whom they found in Northumberland; nor was this an idle threat, for they attempted to murder one of the justices involved, Colle de Derby, at Alnwick, in revenge for the hangings. Despite being escorted by the household *valetus* Jack le Irish, Derby was saved from death only by the intervention of John de Felton, the constable of Alnwick castle.<sup>9</sup>

By the following November, Jack le Irish had himself turned to crime, when he and his followers abducted the Lady Maud de Clifford, on the road near Bowes castle, Yorkshire; she had to be rescued by a force of some forty men-at-arms, sent by the king. Maud was the widow of Sir Robert de Clifford, one of the many northern magnates who had been killed at Bannockburn, who had held extensive lands in Westmorland and Yorkshire, including the castles of Appleby, Pendragon, Brough, Brougham and Skipton in Craven; Maud was therefore a widow of considerable wealth - which was undoubtedly the motivation for le Irish’s actions. Describing the incident some decades later, Thomas Gray commented ‘lez maufesurs estoient appelez schualdours’.<sup>10</sup> This was followed by a dispute over Scottish prisoners. In January 1316, Thomas de Fishburn the younger was granted 100 marks by the king for capturing one Richard de Middleton. However, a year later, a commission of oyer and

<sup>9</sup> SC 1/33/32 (calendared in *CDS*, iii, no. 384). This letter, dated just ‘13 August’, is ascribed by Bain to 1314, presumably because the writer refers to the kings’ last departure from Berwick (‘Sire puis se departir darrain de Berewyk’), which dates the incident to after the Scottish campaign of 1314. However, John de Felton was not appointed as constable of Alnwick until November 1314 (during the minority of Henry Percy, *CFR 1307-19*, p. 219), while ‘Colle de Derby’ may be identified with William Colle of Derby, who received a protection for one year, serving against the Scots, in October 1314 (*CDS*, v, no. 2986); August 1315 therefore seems a more likely date. The leader of the would be murderers is recorded as ‘Sir John de Linborn’, but he can safely be identified with Lilleburn, who subsequently became a retainer of Thomas of Lancaster, and seized the royal castle of Knaresborough on his behalf (below, pp. 198-200).

<sup>10</sup> ‘The malefactors were called schavaldours’, *Scalacronica*, p. 147; Bridlington, pp. 48-9; *CPR 1313-17*, p. 422; *CDS*, iii, no. 458; *CIPM*, v, no. 533 (Clifford also held lands in Cumberland, Worcester and Hereford). Note that Bowes is now in County Durham.

terminer was issued to Adam de Swinburne (the sheriff), John de Eure and William de Denum, to investigate the complaint of Roger de Mauduit that it was he who had captured Middleton, along with four other Scots, at Redepath in Tynedale. He claimed that Fishburn and his companions, John Hert and John de Cunningham, had seized the prisoners from him and then let them all go, apart from Middleton, who had been handed over to the king as Fishburn's own captive. The unfortunate Mauduit also claimed to have captured another party of Scots near Mitford; unwisely, he had left them in custody at Mitford castle - only for them to be ransomed without his permission, by John de Lilleburn, a fellow knight of the royal household.<sup>11</sup>

Commenting on the truce made by Edward in 1319, the author of the *Vita Edwardi* complained that the oppressions of those appointed by the king to keep the march were worse than the depredations of the enemy, 'for the Scots used to spare the inhabitants of Northumbria for a time in return for a moderate tribute, but those who were supposed to be set over them for their protection were constantly at leisure to oppress them every day'.<sup>12</sup> Here, it is surely significant that many medieval sources refer to *schavaldours* in a military context. Writing in *circa* 1372, John Barbour described how a force of over a thousand Northumbrians were mustered to go the relief of Henry Percy, besieged in Turnberry castle, Ayr, in 1307:

Bot thai war skownrand wonder sar	(But they were astonishingly and greatly fearful,
Sa fer into Scotland for to far,	To journey so far into Scotland,
For a knyght, Schyr Gawter the Lile	For a knight, Sir Walter de Lisle,
Said it wes all to gret perile	Said it was all too great a danger
Sua ner thai schavalduris to ga.	To go so near those <i>schavaldours</i> )

Clearly, a force of this size would not have been deterred by mere bandits, and the 'schavalduris' must have posed a serious military threat - unless Barbour was making

<sup>11</sup> E 101/376/7, f. 44; *CPR 1313-17*, p. 687 (February 1317); *Middleton*, p. 37. Although Richard may well have been an English renegade, it is by no means clear whether he was related to Gilbert de Middleton (*ibid.*, pp. 36-40). Lilleburn is recorded as the constable of Mitford in February 1316 (*CPR 1313-17*, p. 396).

<sup>12</sup> 'Scoti namque pro modico tributo Northamhimbrorum incolis ad tempus parcebant, sed hii qui ad tutelam prepositi uidebantur cotidiane exactioni iugiter uacabant', *Vita Edwardi*, ed. Denholm-Young, p. 103.

a barbed comment about the courage of the Northumbrians. Similarly, Andrew Wyntoun (writing *circa* 1420) alludes - with apparent approval - to a company of 'schawadouris' raised by one William of Carruthers in 1335, to fight against Edward Balliol in Annandale.<sup>13</sup> Rather more contemporaneously, the French Chronicle of London (compiled in the 1340s) also refers to William Wallace, the 'cheventein' (captain) of the Scots who plundered Northumberland in 1297, as 'un shivaldour'. Interestingly, the term is here used as a synonym for 'ribaude' (ribald), the word employed by the French *Brut* which was its source - and it is worth noting that the term 'ribaude' was itself frequently deployed in a military context.<sup>14</sup> More significantly, the *Historia Aurea*, written in northern England in the mid-fourteenth century, refers to 'a certain *shaualdus*, a noble clerk called Elias' (*quidam nobilis clericus Helias dictus*) who, along with thirty *consocii*, accompanied the earl of Arundel's ineffectual expedition of March 1317; Elias and his band briefly occupied James Douglas' fortress at Lintalee, until he met a cruel and unusual fate at the hands of its owner.<sup>15</sup> All of these examples seem to suggest a military connotation rather than one of mere brigandage - though these are hardly mutually exclusive. Most telling of all, however, is a memo of the royal council, of late 1324, suggesting that large numbers 'de shavaldours et de hobelours' should be raised in 'parties du North' for service in Gascony.<sup>16</sup>

It has been suggested that 'in practice, there can have been little distinction' between the *schavaldours* and the ill-disciplined companies of hobelars who were

<sup>13</sup> Barbour, V, ll. 201-5; Wyntoun, vi, 45.

<sup>14</sup> *Chroniques de London*, ed. George James Aungier, CS, 1st ser., xxviii (1844), p. 25; D.C. Cox, 'The French Chronicle of London', *Medium Ævum* xlv (1976), pp. 202-4. The compiler of the French Chronicle probably found the term *shivaldour* in the particular text of the *Brut* which he plagiarised, rather than supplying the word himself.

<sup>15</sup> 'Extracts from the *Historia Aurea*', ed. Galbraith, p. 208 (the authorship and date are discussed by *idem*, 'The *Historia Aurea* and the Sources of the St. Albans Chronicle', pp. 381-4; and *NCH*, viii, 124-7). The defeat of 'Elys' is described by Barbour (XVI, ll. 444-66), who puts his company at 300 strong; Elias is here described simply as 'ane clerk', without any reference to *schavaldours*. For his unpleasant fate, see above, p. 109.

<sup>16</sup> *The War of St Sardos (1323-5): Gascon Correspondence and Diplomatic Documents*, ed. P. Chaplais, CS, 3rd ser., lxxxvii (1954), p. 66.

employed in the defence of the marches.<sup>17</sup> In fact, there was actually no distinction whatsoever. The contemporary perception that it was the English defenders of the march who were themselves responsible for most of the disorder that plagued the region is borne out by an examination of the careers of those who earned a name for themselves as *schavaldours*. John de Weredale, the plunderer killed on Holy Island, first came to prominence as a soldier in royal service, being rewarded with a gift of five pounds for handing over a Scottish prisoner to the king in 1304, and leading a company of fifty-four Northumbrian archers to serve Edward II in Scotland in 1307.<sup>18</sup> Jack le Irish was (as his name might very well suggest) one of those brought across from Ireland to serve in the marches in 1314; he subsequently brought eighty men-at-arms, described as being *de consanguinitate et affinitate* (of his lineage and affinity), to join him in Northumberland, and was still fighting the Scots in 1317, with 38 men-at-arms and 54 hobelars. At the time of his attack on Maud de Clifford, he was serving the king as constable of Barnard castle.<sup>19</sup> When John de Lilleburn tried to kill the justices of Berwick, he was receiving royal pay for serving with twelve men-at-arms and 100 hobelars. He subsequently went on to seize Knaresborough castle on behalf of Thomas of Lancaster; despite this, he was retained by the wardens for the defence of the marches in 1319, again at the king's expense, and despite the fact that at the same time, he was serving Lancaster as constable of Holt castle ('Cast'leon'), in Denbighshire, which the earl had recently seized from earl Warenne.<sup>20</sup> Thomas de Fishburn the younger was another Northumbrian, the son of a royal itinerant justice, and he received protections for service in the marches continuously between December 1315 and August 1317. On the same date as the first of these protections, the king also granted him the right to keep the ransoms of all the

<sup>17</sup> McNamee, *Wars of the Bruces*, pp. 156-7.

<sup>18</sup> CDS, ii, no. 1585; E 101/373/15, f. 19v.

<sup>19</sup> *Calendar of Chancery Warrants, 1244-1326*, p. 418; *Rot. Scot*, i, 131, 145; *Northern Petitions*, ed. Fraser, p. 61-3; J.R.S. Phillips, 'The Mission of John de Hothum to Ireland, 1315-16', *England and Ireland in the Later Middle Ages*, ed. J. Lydon (Dublin, 1981), p. 65; Barrow, *Robert Bruce*, p. 204. Barnard castle was in royal wardship during the minority of the son and heir of the earl of Warwick.

<sup>20</sup> E 101/376/7, ff. 61v., 135v.; E 101/15/26; Yorkshire Archaeological Society, MS Grantley DD 53/III/490.

prisoners whom he captured; and it was clearly this provision which led to his dispute with Roger Mauduit.<sup>21</sup>

It should not, however, be supposed that these *schavaldours* and hobelars were free-lance mercenaries, operating at the edge of the military establishment; what is also apparent about those named as *schavaldours* is how very well-connected most of them were. Jack le Irish, John de Weredale, John de Lilleburn, Thomas de Fishburn the younger: every one of these received the king's robes, along with Gilbert de Middleton, the most notorious *schavaldour* of them all.<sup>22</sup> The representation of the *schavaldours* as 'mercenaries', or as 'free companies' is thus misleading.<sup>23</sup> These were men at the very core of the royal military establishment; and it was precisely their closeness to Edward II which enabled them to pursue their criminal activities with impunity, for as knights and *valets* of the royal household, they considered themselves to be effectively above the law. This is nicely demonstrated by a petition brought to the king by Patrick de Dunbar, earl of March, and Sir Adam de Gordon from his few remaining loyal subjects in Scotland, late in 1313. Amongst other matters, they complained their livestock was being plundered, 'partie par les enemys et partie par ses garnesounes de Berewik' et du chastel de Rokesburgh'; singled out for particular mention were Gilbert de Middleton and Thomas de Pencatelande and their company, who claimed that as they were of the king's household, they were not answerable to the keeper of Berwick, or to any of his ministers.<sup>24</sup>

<sup>21</sup> CDS, v, nos. 3052, 3065, 3068, 3124; CPR 1313-17, p. 373; Middleton, p. 38; McNamee, *Wars of the Bruces*, p. 156; and see above, p. 125. Medieval moralists might also have pointed to moral turpitude as a cause for Fishburn's criminality, for in 1313, he had been accused of committing incest with his sister, the wife of Nicholas Surtees (RPD, i, 464, 483-4).

<sup>22</sup> Le Irish: CCR 1313-18, p. 165; CCW 1244-1326, p. 418; Weredale: *Historiæ Dunelmensis*, ed. Raine, p. 94; Lilleburn: E 101/377/1; Fishburn: Society of Antiquaries, MS 121, f. 65; Middleton: *Calendar of Charter Rolls 1300-26*, p. 204; C 47/22/10 (11); E 101/378/6; *Select Cases in the Court of the King's Bench, Edward II*, ed. G.O. Sayles, Selden Society lxxiv (1957), p. 78.

<sup>23</sup> cf. McNamee, *Wars of the Bruces*, pp. 156-7; *Northern Petitions*, ed. Fraser, p. 62.

<sup>24</sup> 'Les queus se claimant de sour hostel et de ses Robes qe ne solenc iustizables au Gardeyn de la vile ne a nul de ses ministres', C 47/22/10 (11) (calendared, rather meagrely, in CDS, iii, no. 337; Middleton, p. 10).

In fact, as this petition suggests, much of the criminality of the *schavaldours* can have been inspired by nothing more sinister than mere hunger.<sup>25</sup> Owing to the abject state of royal finance, aggravated in Northumberland by the disruption of Scottish raiding, wages were habitually in arrears. In 1317, for instance, John de Felton, constable of Alnwick castle (and another household knight), complained that most of his garrison of men-at-arms and hobelars, retained at the king's orders, had abandoned the castle and were living in the town because they had not been paid.<sup>26</sup> At the same time, and for similar reasons, arrangements for the supply of victuals frequently broke down; so when famine created food shortages, castle garrisons frequently had great difficulty in getting hold of supplies. The author of the *Vita Edwardi*, describing the famine of 1316, reported that in some parts of Northumbria, people were said to have been reduced to eating dogs and horses 'and other unclean things' (*alia immunda*), adding that their problems were exacerbated by the frequent raids of the Scots, for 'the accursed Scots daily despoil their food' (*maledicti Scoti suis uictalibus cotidie spoliabant*).<sup>27</sup> Corroboration is provided by a petition of Maurice de Berkeley, keeper of Berwick, in February 1316, complaining that his garrison was deserting, and that those left were in such dire straits that 'whenever a horse dies in the town, the men-at-arms carry off the flesh, and boil and eat it, not letting the foot touch it till they have had what they will'. A large part of the garrison had, against orders, made a desperate raid into Teviotdale in search of food, saying they would rather die fighting than starve. Unfortunately, the raiders were caught by James Douglas, and many of them met their preferred fate.<sup>28</sup> Of course, Berwick was particularly vulnerable to the depredations of the Scots and was particularly difficult to re-supply, situated as it was on the north bank of the Tweed, whilst its bridge had collapsed in a storm in 1294,

<sup>25</sup> A comparison can be drawn with the tendency of French armies during the Hundred Years War to resort to banditry in order to maintain themselves (Wright, *Knights and Peasants*, *passim*).

<sup>26</sup> *Northumb. Pets*, p. 158; *CDS*, iii, app. vii, p. 394.

<sup>27</sup> *Vita Edwardi*, p. 70. The author of the *Vita* was generally very well informed about affairs in the North (Noel Denholm-Young, 'The Authorship of the *Vita Edwardi Secundi*', *Collected Papers* (Cardiff, 1969), p. 273).

<sup>28</sup> *CDS*, iii, no. 470. A detailed account of the raid is given by Barbour, *XV*, ll. 320-424; see also *Scalacronica*, p. 143.

and had not been repaired.<sup>29</sup> However, other Northumbrian garrisons were forced to resort to equally drastic measures: in late 1316, a ship carrying victuals for the garrison of Berwick was chased by pirates to the port of Warkworth; but this proved to be no safe haven, for the ship was boarded by Richard de Thirlwall, Robert Darreyns, Hugh Galoun, Eustace le Conestable of Warkworth, and others, and the victuals were seized. These were all minor Northumbrian men-at-arms, and clearly, this was the garrison of Warkworth castle, taking advantage of an unexpected windfall to feed themselves.<sup>30</sup>

Such problems were exacerbated by controversy over rights of purveyance, a perennial cause of disaffection. To a Northumbrian peasant or burgess, hard-pressed by Scottish raiding and famine, the questioning of food by royal troops without immediate payment was indistinguishable from theft; to a yeoman of the royal household on royal service against the king's enemies, the same act was simply a legitimate exercise of the royal prerogative.<sup>31</sup> This difference in outlook is demonstrated by a petition of the men of Bamburgh ward, *circa* 1315, complaining - amongst other things - that Jack le Irish and 'ses compaignons' had seized food and other goods without paying for them. However, le Irish's wages were in arrears (he was owed 100 marks in September 1315), and it would have been difficult for him and his men to feed themselves by any other means.<sup>32</sup> Similarly, when Middleton and Pencatelande 'plundered' livestock from the good people of Berwickshire, they would have considered themselves to have been acting perfectly within their rights - and their argument, that as knights of the royal household they were not accountable to local officials, carried a great deal of legal and political weight.

<sup>29</sup> *Scalacronica*, p. 118; *Lanercost*, p. 157.

<sup>30</sup> *CPR 1313-17*, p. 597. Robert Darreyns was certainly in the garrison of Warkworth 1319-20, along with a John de Thirlwall (E 101/15/26; E 101/378/4, f. 14).

<sup>31</sup> The Ordinances of 1311 had included a clause demanding that purveyers who seized foodstuffs without making immediate cash payment at their true value should be treated as robbers under the common law, excepting 'the ancient, rightful and due prises' (cl. 10, *Rot. Parl.*, i, 282). Unfortunately, as no definition of 'the ancient, rightful and due prises' could be agreed upon, attempts to regulate purveyance remained largely ineffectual.

<sup>32</sup> *Northumb. Pets*, p. 27; *CCR 1313-18*, p. 246.

More generally, however, Edward II showed little inclination to discipline his household retainers - as Bishop Kellawe discovered to his cost when John de Weredale was killed. Nor was this an isolated example. John de Lilleburn attempted to murder Colle de Derby, who was acting as a justice on a royal commission, in August 1315; yet despite this flagrant contempt for royal authority, Lilleburn was amongst the forty knights who attended the king at court at the following Christmas.<sup>33</sup> Jack le Irish clearly supposed that as a yeoman of the royal household, he would be able to get away with kidnapping an heiress, even though her social standing was considerably greater than his own; it was just unfortunate for him that Maud de Clifford was not without royal connections herself, for her rescue was brought about by her brother-in-law, Sir Bartholomew de Badlesmere, a magnate who was himself rapidly rising in Edward's favour.<sup>34</sup> Nevertheless, le Irish evidently retained the king's favour, for Edward contributed a total of six pounds for medicines, and towards the cost of his maintenance at the Gilbertine Priory of St Katherine, Lincoln, during a long illness (though this evidently did him little good, for he was dead soon afterwards).<sup>35</sup> Nor did Thomas de Fishburn's appropriation of Roger Mauduit's prisoners meet with any royal disapprobation, despite the fact that Mauduit was himself a household retainer. Instead, in July 1317, shortly after Mauduit made his complaint, Fishburn was issued with a new protection, this time covering his companions, including John Hert and John de Cunningham - both named by Mauduit as accomplices; and in August, he was even given another 100 marks reward for capturing Richard de Middleton.<sup>36</sup>

It may seem surprising that Edward II was prepared to tolerate such activities amongst his own retainers; but aside from his temperamental inclination to overlook the criminal proclivities of those who had his favour, Edward's inability to get on with his magnates, and the consequent need to maintain his own military followers, meant that he had no choice but to rely on men of lesser status. In the marches, this problem

<sup>33</sup> E 101/377/1. Gilbert de Middleton was another household knight so honoured.

<sup>34</sup> Bridlington, pp. 48-9; *CDS*, iii, no. 458; *CPR 1313-17*, p. 422. For Maud's family, see *GEC*, i, 372; iii, 291; Robin Frame, *English Lordship in Ireland, 1318-1361* (Oxford, 1982), p. 159.

<sup>35</sup> Society of Antiquaries, MS 120, ff. 17v., 49v.; MS 121, f. 30.

<sup>36</sup> *CDS*, v, no. 3124; *Middleton*, p. 38.



was further exacerbated by a high mortality rate amongst local magnates; Roger de Clifford was killed at Bannockburn, while Henry Percy and the earl of Warwick (lord of Barnard's Castle) died soon afterwards. This left just two magnates of national standing with holdings in the North-East: Thomas of Lancaster, holding the barony of Embleton, and Aymer de Valence, who had obtained the castle of Mitford; and while Aymer de Valence took a leading role in the marches, the earl of Lancaster could hardly be relied upon. Therefore, if only by default, Edward depended for the defence of the marches on the local gentry, such as John de Lilleburn and John de Weredale, and imported adventurers, such as Jack le Irish. As he was so reliant on such men, Edward was not in any position to discipline them; so it is hardly surprising that some of them took the opportunity to enrich themselves, by whatever means came to hand. Thus although Jack le Irish has been viewed by modern historians as little better than a bandit (he has been described as a 'turbulent mercenary' and as a 'well-known local brigand', and his criminal activities have even been characterised as 'terrorism'<sup>37</sup>), his abduction of Lady Clifford was not merely an act of motiveless delinquency. Lady Clifford was a wealthy widow, and it is probable that le Irish intended to marry her - by force if necessary - which would have made him wealthy as well. Le Irish would have been all too aware that his position as custodian of Barnard Castle was a temporary one, dependent on the king's continued favour; and the favour of Edward II was a demonstrably capricious commodity. A marriage to the widow of an important northern magnate would have provided him with independent means and security, both of which were signally lacking from his current condition. Doubtless, he hoped that as a member of the king's household, he would have been able to obtain a pardon after the event.<sup>38</sup> Furthermore, Maud de Clifford would have made a particularly attractive proposition to an Irishman such as Jack, for Maud was the sister of Richard de Clare, the lord of Thomond, and a connection to the powerful de Clare family would have been a valuable asset in an Irish context.<sup>39</sup>

<sup>37</sup> *Northern Petitions*, ed. Fraser, p. 62; Maddicott, *Thomas of Lancaster*, p. 161; McNamee, *Wars of the Bruces*, p. 146.

<sup>38</sup> His expectations of royal leniency were not perhaps wildly optimistic; on 1 October 1316, Robert de Welle received a pardon for marrying this same Maud without the king's licence, and the couple were granted her dower lands (*CPR 1313-17*, p. 551; *Northern Petitions*, ed. Fraser, pp. 97-8, 246-7).

<sup>39</sup> GEC, iii, 291; Frame, *English Lordship in Ireland*, p. 159.

Significantly, Thomas Gray's *Scalacronica*, which was begun in 1355, makes only one reference to *schavaldours*, alluding to Jack le Irish's abduction of Lady Clifford.<sup>40</sup> Gray served on many judicial commissions in Northumberland, Northamptonshire and Durham and spent his adult life in the defence of the marches - so had the *schavaldours* still been active in the mid-fourteenth century, Gray might reasonably be supposed to have come across some of them; yet the context in which he uses the word suggests that he felt the need to explain its meaning, so it can hardly have been part of the everyday vocabulary of the North-East in the 1350s. By Gray's time, the term was clearly an uncommon one, confined to literary usage.<sup>41</sup> In fact, it is very noticeable that, in English historical writing at least, references to *schavaldours* are generally confined to descriptions of Edward II's reign, even when the writers concerned were writing decades later. This suggests that the activities of these men, and the state of lawlessness in which they prospered, were confined to Edward II's reign; in turn, this would suggest that the *schavaldours* were a product as much of the violent politics of that reign as of the Scottish wars, which persisted long after Edward's deposition. In 1311, the Ordainers had demanded the removal from the king's service of 'archers, e tote manere de ribaudaille' (archers, and all such manner of ribald), except in time of war. Further, any arrears of wages owed to them were not to be paid 'until they have made satisfaction to those against whom they have offended, where they have been staying'.<sup>42</sup> One individual earned himself the dubious honour of being specifically named in this clause; but it was not John de Weredale, Jack le Irish (who had not yet come over from Ireland) or any of the other *schavaldours* - indeed the term had not even been coined at this time. The *ribaud* who had aroused the particular disapprobation of the Ordainers was Robert le Ewer, a household valet whose career of violent crime surpassed those of most of his northern colleagues, and a detailed examination of his career provides an illuminating point of comparison.

<sup>40</sup> *Scalacronica*, p. 147 (of course, it is possible - if unlikely - that Gray also used the term in the part of the *Scalacronica* now missing).

<sup>41</sup> King, 'Sir Thomas Gray's *Scalacronica*', pp. 25-6, 29, 30, 45; *Middleton*, app. A, pp. 7, 11.

<sup>42</sup> *Munimenta Gildhallæ Londoniensis*, ed. H.T. Riley, RS 12 (1860), iib, 682-90; 'Annales Londonienses', ed. Stubbs, i, 199.

Le Ewer was already a king's yeoman by April 1309, when he was granted the reversion of the manor of Warblington, Hampshire. In September 1311, he was granted the custody of Odiham castle, receiving an indemnity, dated 25 November, 'for any acts he may have committed by reason of the king's grant'.<sup>43</sup> Edward subsequently intervened to prevent his default for failing to appear when he was impleaded for a trespass against the widow of Hugh Bardolf, presumably relating to le Ewer's seizure of the manor of Emelesworth; her heir was still petitioning for its return in 1324.<sup>44</sup> He served in Scotland in 1315 and 1316, but in November 1317, the custody of Odiham castle was granted to the younger Despenser, and though Le Ewer did receive some other patronage in compensation, he was also dismissed from various other posts.<sup>45</sup> His fall from grace culminated in August 1320, when he was ordered to be arrested for intimidating the king's serjeants, sent to attach him 'to answer to the king for trespasses, contempts, and disobediences'. Unfortunately, the nature of these trespasses is not specified, but probably relate to abuses of his offices, which may explain his removal from so many of them.<sup>46</sup>

Le Ewer evidently fled to Essex, where the Northumbrian John de Felton, another household retainer, was sent to arrest him. However, in the following May, he was granted a safe-conduct to meet with the king, and was soon back in royal favour; and his lands were quickly restored, along with the custody of Odiham.<sup>47</sup> The reason for Edward's change of heart was simply that he needed all the help he could get against the rebels who were about to procure the exile of the Despensers; le Ewer's prominent military role in the suppression of the Welsh marchers is attested by both the *Vita*

<sup>43</sup> *CPR 1307-13*, p. 160; *CFR 1307-19*, p. 103; *CPR 1307-13*, p. 405; and cf. cl. 7 of the Ordinances of 1311 (*Rot. Parl.*, i, 281). As the Supplementary Ordinances were presented at about this date (Maddicott, *Thomas of Lancaster*, p. 117), the indemnity was probably intended to protect him against them. Le Ewer's eventful career is described by Michael Prestwich, *The Three Edwards. War and State in England, 1272-1377* (London, 1981), pp. 102-3.

<sup>44</sup> *CCR 1307-13*, p. 399; *CPR 1307-13*, pp. 429, 430; *CIPM*, v, no. 397.

<sup>45</sup> *CDS*, v, nos. 3011, 3071; *CPR 1317-21*, pp. 46, 136, 253; *CCR 1318-23*, p. 178; *CFR 1307-19*, p. 386; *CFR 1319-27*, pp. 18, 24.

<sup>46</sup> *CCR 1318-23*, pp. 260, 326. The intimidation included threats to 'cut them up limb by limb', in the presence of the king if necessary.

<sup>47</sup> *CPR 1317-21*, pp. 505, 586, 595, 596; *CCR 1318-23*, pp. 312, 394; *CFR 1319-27*, p. 64.

*Edwardi Secundi* and the *Flores Historiarum*, which describes him as a ‘latronum principem’ (leader of bandits) - a description which closely matches the terms used to describe John de Weredale, Jack le Irish and Gilbert de Middleton.<sup>48</sup> He certainly profited from his service against the contrarians, for in March 1322, a debt to him of forty pounds was acknowledged by Gilbert de Halton, the parson of Embleton, Lancaster’s Northumbrian barony; the debt can only have been a ransom from one of the earl’s adherents, after the fiasco of Boroughbridge. Nor was this his only reward.<sup>49</sup> There can thus be no doubt that he was firmly back in royal favour, a favour which he exploited to enrich himself, using his commission against contrariant rebels to harass local rivals and loyal subjects of the king - at which point, the elder Despenser stepped in to protect one of his own retainers who fallen foul of Le Ewer’s acquisitiveness.<sup>50</sup> It was probably this renewed Despenser intrusion into his local dominion that prompted him to his final act of rebellion. He was granted a protection to accompany the king to Scotland in August 1322, and it must have been in the shambolic aftermath of this campaign that he rebelled, for on 16 September, he was ordered to return to the king ‘to explain the cause of his withdrawal from the king’s presence’. Writs followed ordering his arrest and Odiham castle was once again removed from his grasp.<sup>51</sup> His first act was to exact his revenge for the interference of the elder Despenser, by plundering several of his manors; following this, he seems to have made his way back to Southampton, where, at the end of November, he attempted to storm Odiham castle, only to be captured shortly afterwards. He refused to plead when charged; and he duly died the day after Christmas, having been subjected to the ordeal of *peine forte et dure*, a punishment described with some glee by the author of the *Vita Edwardi*, who considered this gruesome fate to be richly deserved.<sup>52</sup>

<sup>48</sup> *Flores Historiarum*, ed. H. R. Luard, RS 95 (3 vols, 1890), iii, 199-200; *Vita Edwardi*, ed. Denholm-Young, pp. 117-18. See also *CPR 1321-4*, pp. 28, 39, 44; *CCR 1318-23*, pp. 506-7.

<sup>49</sup> *CCR 1318-23*, p. 529 (and cf. *ibid.*, p. 537 for a similar recognisance); *CPR 1321-4*, p. 52; *CFR 1319-27*, p. 113.

<sup>50</sup> *CPR 1317-21*, pp. 95-6, 459; *CCR 1318-23*, pp. 365, 472.

<sup>51</sup> *CPR 1321-4*, p. 199, 206, 215, 222 (which reports that le Ewer had taken to the forests - *à la Robin Hood* ...), 223; *CCR 1318-23*, p. 597, 685; *CFR 1319-27*, p. 178; Natalie Fryde, *The Tryanny and Fall of Edward II, 1321-6* (Cambridge, 1979), p. 154. Fryde suggests that le Ewer disobeyed his summons to serve in Scotland; however, the writ of 16 September implies his presence on the expedition).

<sup>52</sup> *Vita Edwardi*, ed. Denholm-Young, pp. 127-9; *Flores Historiarum*, ed. Luard, iii, 211-12;

Robert le Ewer's career and rebellions clearly illustrate a number of the problems of Edward II's government. The need to maintain military forces to defeat his opponents - both Scottish and English - forced him to rely on men who were little better than bandits and whose loyalty was demonstrably doubtful. Had le Ewer been based in the north, he would undoubtedly have earned himself a reputation as a *schavaldour*. As it stands, his career and rebellions certainly demonstrate that the problems of law and order associated with the *schavaldours* were by no means unique to the north. Whilst the disorder in the marches was certainly hugely exacerbated by the impact of war and famine, the roots of this disorder lay as much in Edward II's refusal to discipline his household military retainers, a refusal which stemmed from both personal inclination and political necessity. It is a telling indication of Edward's political ineptitude that despite this, he was unable to retain the loyalty of so many of these men, men such as John de Lilleburn, Robert le Ewer and, of course, Gilbert de Middleton.

### The Attack on the Cardinals

Gilbert de Middleton's robbery of the cardinals on 1 September 1317, near Rushyford in the bishopric of Durham, was perhaps the single most notorious criminal act of Edward II's reign. It was mentioned by virtually every chronicler of the reign, shocked at the enormity of the crime; thus, the anonymous author of the *Vita Edwardi* fulminated at inordinate length against the evils of attacking cardinals.<sup>53</sup> However, the attack had actually been aimed at the bishop-elect of Durham, Louis de Beaumont, and his brother Henry, both of whom were carted off to imprisonment at Mitford castle in Northumberland. The involvement of the cardinals was just an unfortunate

'Contiuatio Chronicarum', ed. Thompson, p. 39; *CPR 1321-4*, pp. 221, 254; *CCR 1318-23*, p. 653.

<sup>53</sup> *Vita Edwardi*, pp. 82-4. Detailed chronicle accounts are provided by - naturally enough - Graystones, *Historiæ Dunelmensis Tres*, pp. 100-1; the *Historia Aurea* (BL, Harley MS 655, ff. 315v-316 - a hybrid of the *Polychronicon* and the *Historia Aurea*, this part of the text ibeing derived from the *Historia Aurea*); and 'Johannis de Trokelowe Annales', *Trokelowe et Blaneфорde Chronica et Annales*, ed. Riley, pp. 99-101. For modern accounts, see *Middleton*, *passim*; *NCH*, ix, 106-12; Prestwich, 'Gilbert de Middleton', *passim*; Lomas, *North-East England*, pp. 57-8.

accident, apparently unforeseen by the attackers. As a monk of Durham priory, Robert Graystones was close to these events, and his account links the ambush to the intended consecration of the bishop-elect, which the cardinals had hoped to perform at Durham; and the same connection is made explicit by the 'Lanercost' Chronicle and by Thomas Castleford.<sup>54</sup> The Beaumont brothers were widely resented court favourites, and the Ordinances of 1311 had specifically demanded Henry's removal from the king's presence. The same Ordinances had also called for the banishment from court of Henry's sister, Isabella, the widow of John de Vesci, and the removal from her custody of Bamburgh castle, the keeping of which had been granted to her by Edward I in 1304 - and which was duly removed from her in May 1312.<sup>55</sup> In a Northumbrian context, with the provision of Louis to the bishopric of Durham, it must have appeared that Isabella had been disposed of, only to be replaced by her brother.

The plot had been cooked up between Robert de Sapy, John de Eure and Gilbert de Middleton, of whom Sapy and Middleton were fee'd knights of the royal household, whilst Eure was associated with it;<sup>56</sup> and all had their own grievances against the king. Middleton had gained little by way of concrete reward from his royal service, and according to the *Scalacronica*, he was motivated by the arrest of his cousin Adam de Swinburne, 'for speaking too plainly to [the king] concerning the state of the Marches'.<sup>57</sup> In fact, Swinburne was not related to Middleton, but like

<sup>54</sup> *Historiæ Dunelmensis Tres*, pp. 100-1; *Lanercost*, pp. 233-4; Castleford's "Chronicle" or "The Boke of Brut", ed. Caroline D. Eckhardt, 2 vols, Early English Text Society 305, 306 (1996), ii, 1058-60. Other chronicles allude to Beaumont's planned consecration, including John de Trokelowe (who describes the perpetrators as 'fatui' - half-wits), but unlike Graystones and Castleford, none of these mention the disputed election, so cause and effect are very much more implicit ('Trokelowe Annales', ed. Riley, pp. 99-101; BL, MS Harley 655, ff. 315v-316; Bridlington, p. 52; *Anonimale Chronicle, 1307-1334*, ed. Childs & Taylor, p. 90; *Brut*, ed. Brie, i, 209).

<sup>55</sup> *Rot. Parl.*, i, 284; *CFR 1307-19*, p. 133; Prestwich, 'Isabella de Vescy and Bamburgh Castle'.

<sup>56</sup> Although Eure does not appear in any surviving wardrobe accounts as receiving the king's robes, he was clearly associated with the royal household, for he appears in a list of twelve household knights on whose oath Edmund de Mauley was acquitted of a charge before the steward and the marshal, in February 1313 (*CPR 1307-13*, p. 555).

<sup>57</sup> '... ly auoit parle trop rudement de lestat dez marchies', *Scalacronica*, pp. 144-5. As Gray's father was a retainer of Henry Beaumont and was appointed as constable of Norham castle by Bishop Louis shortly after this (King, 'Sir Thomas Gray's *Scalacronica*', pp. 11-15), the *Scalacronica*'s account is

Middleton, he was a knight of the royal household; and he was indeed replaced as sheriff of Northumberland on 3 August 1317 and kept in custody at Nottingham castle from then until October.<sup>58</sup> Sapy had hoped to delay Beaumont's consecration, so as to reap a greater profit from his custody of the temporalities of the bishopric.<sup>59</sup> Eure's attachment to the royal household had not prevented his North Yorkshire manor of Stokesley from being illegally seized by the household valet and notorious *shavaldour* Jack le Irish; certainly, he seems to have embroiled himself in the factional squabbling which continually afflicted Edward's household, for in February 1317, he was appointed along with Adam de Swinburne to the commission of oyer and terminer obtained by Roger de Mauduit to investigate his complaints against Thomas Fishburn and John de Lilleburn.<sup>60</sup> Furthermore, Eure had served in Scotland with Henry Beaumont in 1308 and 1311, and appears in the Durham *Liber Vitae* near the head of what is clearly a list of Beaumont's knightly retainers, starting with Beaumont himself;<sup>61</sup> it is tempting to speculate that the two subsequently fell out, and that personal animosity lay behind Eure's involvement in the plot.

The robbery of the cardinals was thus the accidental product of a plot by disaffected elements within the king's own household, aimed at the unpopular Beaumont brothers, and as such, it reflected the factional politics of Edward II's court as much as any endemic disorder in the marches.<sup>62</sup> As soon as the cardinals became

invaluable, for it undoubtedly reflects the Beaumonts' perception of Middleton's motives.

<sup>58</sup> Society of Antiquaries, MS 121, f. 12v.; *Middleton*, pp. 36, 78-9; Prestwich, 'Gilbert de Middleton', p. 185. Swinburne was admitted to the household in 1312 as a *miles simplex*, and is recorded as a household banneret in 1314/15 (BL, Cotton MS Nero C.VIII, f. 91; E 101/378/6, d.). Gray's error is readily explicable, for although Middleton's mother was married to Nicholas de Swinburne, Nicholas was one of the Swinburnes of West Swinburn (*NCH*, iv, 276; *Families*, i, 98; *Middleton*, p. 2), whilst Adam was a Swinburne of East Swinburn, an entirely separate and apparently unrelated family (*Families*, i, 139).

<sup>59</sup> DCD, MC 4238, 4022; Prestwich, 'Gilbert de Middleton', pp. 181-2.

<sup>60</sup> *CIPM*, v, no. 615 (pp. 411-12); *CPR 1313-17*, p. 687. Stokesley was seised by le Irish whilst he was constable of Barnard Castle, from which post he was dismissed in November 1315; Eure had still not recovered his manor by the following September.

<sup>61</sup> *Rot. Scot.*, i, 58, 59; *CDS*, v, no. 2907; *Liber Vitae Ecclesiae Dunelmensis: A Collotype Facsimile of the Original Manuscript*, ed. A. Hamilton Thompson, SS cxxxvi (1923), f. 68.

<sup>62</sup> Prestwich, 'Gilbert de Middleton', p. 194.

entangled in it, the plot was effectively de-railed. Eure, who was initially suspected of being the leader of the attackers, rapidly acted to distance himself from the deed, and by the end of the year, he had acquired a powerful protector in the shape of Thomas of Lancaster. Sapy's involvement in the plot had already ceased, when his custody of the bishop's temporalities had ended in May. This left Middleton and Walter de Selby, the leaders of the ambush party, to take all the blame.<sup>63</sup> Middleton did make a futile attempt to reconcile himself with the cardinals; just a week later, when Thomas of Lancaster came to Durham to escort them back to York, he turned up at the cathedral to speak with the earl. He then restored the cardinals's goods and sought their absolution. Needless to say, his overtures met with a chilly response; as soon as they were safely back at York, they promulgated a 'horribilem sententiam' on him and all his followers.<sup>64</sup> Only after this, when it had been made abundantly clear to Middleton that he was beyond any hope of rehabilitation - and when he therefore had nothing to lose - did he embark on his (brief) reign of terror, attacking Tynemouth Priory, extorting protection money from Durham Priory, and ransoming some of his Northumbrian neighbours, as well as the Beaumont brothers. He even claimed the title 'ducem Northumbrie', according to one well-informed account.<sup>65</sup> The attack on the cardinals was therefore as much a cause of any breakdown of the maintenance of law and order in Northumberland, as a consequence.

<sup>63</sup> *CPR 1317-21*, p. 88; 'Private Indentures', ed. Jones & Walker, no. 27; Prestwich, 'Gilbert de Middleton', p. 182. Middleton is identified as the leader of the ambushers by every contemporary account of the incident. Selby is mentioned as his co-leader by BL, MS Harley 655, f. 316; 'Trokelow Annales', ed. Riley, p. 99; *The Chronicle of John Capgrave*, ed. Hingeston, p. 182. Selby had no connection with the royal household; his involvement in the plot may have stemmed from nothing more than friendship with Middleton, for his manor of Seghill lay just two miles from the latter's properties at Hartley and Briardene.

<sup>64</sup> *Historiæ Dunelmensis Tres*, p. 101; 'Trokelow Annales', pp. 99-100; *Middleton*, pp. 31-2.

<sup>65</sup> *Northumb. Pets*, p. 148; DCD, MC 3506, 4049, 5053 (printed, respectively, in *NCH*, ix, 373; *Middleton*, pp. 48, 47); 'Trokelow Annales', ed. Riley, pp. 99-100; *Select Cases in King's Bench, Edward II*, ed. Sayles, p. 78; Harley 655, f. 316. It should be noted that the *Scalacronica's* comment that Middleton had 'tout Northumbreland a sa couvyne', except for Bamburgh, Alnwick and Norham castles, is a gross - and deliberate - exaggeration, stemming from Gray's association with John de Coupland (*Scalacronica*, p. 145; King, 'Englishmen, Scots and Marchers', pp. 220-1).



In the event, Middleton was brought to justice without any great difficulty, albeit almost four months later. The most detailed account of his capture is provided by John de Trokelowe, according to whom, Middleton was taken by ruse, during negotiations for the ransoming of his Northumbrian prisoners. Certainly, one of those whom he imprisoned was John de Felton, a fellow household knight and the captain of Alnwick castle; and one of those rewarded for Middleton's capture was John's cousin, William de Felton.<sup>66</sup> Also rewarded were Thomas Heton and Robert Horncliffe, along with John de Thropton and John de Fawdon, and his brothers, Roger, Peter and William.<sup>67</sup> Both the *Historia Aurea* and the *Scalacronica* relate that Felton, Heton and Horncliffe took Middleton, 'par couyne de sez genz propres'.<sup>68</sup> According to his own curiously guarded account, John de Fawdon 'revealed himself' to Henry de Beaumont and then helped Felton and his company to bring about Middleton's arrest. Clearly, Fawdon must have 'revealed himself' whilst Beaumont was still a prisoner (after all, the subterfuge which this implies would hardly have been necessary after Beaumont's release). It would appear, therefore, that the Fawdon brothers were actually Middleton's 'genz propres', but that they came to see the error of their ways, and betrayed him. If so, their treachery paid off, though - as so often the case - their annuities proved a less than reliable source of income.<sup>69</sup> For Gilbert de Middleton, there was no prospect of such rehabilitation; he was taken to London, where he was tried and then hanged, drawn and quartered. His brothers John and Richard suffered the same fate.<sup>70</sup>

<sup>66</sup> *CPR 1317-21*, p. 61; *CPR 1317-21*, p. 75; Society of Antiquaries, MS 121, f. 29v. William served in Alnwick castle with his cousin (*Northumb. Pets.*, p. 137). Middleton may have borne a grudge against the Felton family, for he had been a ward of William's father during his minority (*CPR 1281-92*, p. 472).

<sup>67</sup> William de Felton and Heton, both king's *valets*, were granted annuities of 50m, pending a grant of lands to that value; annuities were granted on similar terms to the others, Horncliffe receiving 40m per year, Thropton £10, John de Fawdon 20m, and the other Fawdons, 10m each (*CPR 1317-21*, p. 75; Society of Antiquaries, MS 121, f. 29v.; *Northumb. Pets.*, pp. 137-8). Felton, Heton and Horncliffe are identified as Middleton's captors by the *Historia Aurea* and the *Scalacronica* (Harley 655, f. 316; *Scalacronica*, p. 145; and cf. Society of Antiquaries, MS 121, f. 29v.).

<sup>68</sup> 'Through the trickery of his own men', *Scalacronica*, p. 145; Harley 655, f. 316.

<sup>69</sup> *Northumb. Pets.*, pp. 138-9 (and cf. pp. 143, 146-7).

<sup>70</sup> *Chronicon Henrici Knighton*, ed. J.R. Lumby, RS 92 (2 vols, 1889-95), i, 413; 'Extracts from the

After Middleton's arrest, some of his followers held out in Horton peel, which Walter de Selby had seized from his neighbour, Bertram de Monboucher. However, the fall of Berwick, on 1 April 1318, threatened the security of the whole March, and forced the crown to take a lenient line with the rebels. Thus, just a week later, Roger Mauduit gave himself up, having been promised a pardon (which was duly granted to him on 14 May). Soon afterwards, a commission was issued to John de Felton, William Ridell, and others, to receive the remaining rebels into the king's peace. Lilleburn, Mauduit and Eure were all absorbed into the affinity of Thomas of Lancaster, whose interests lay elsewhere than Northumberland. Selby remained obdurate, apparently fleeing to the Scots; but with his flight, the rising was essentially over.<sup>71</sup>

To identify Middleton's adherents, historians have previously relied heavily on the retrospective forfeitures brought about by William de Nessfield and John de Coupland in 1358-61.<sup>72</sup> However, Coupland and Nessfield stood to benefit personally from heaping the sins of the fathers upon the heads of the sons; so it comes as no great surprise to find that they were less than scrupulous in checking the accuracy of their allegations, which in any case were being made some forty years after the event. A case in point is that of the two messuages and 100 acres of land at Hepburn, near Chillingham, granted to Coupland in July 1359 after being taken into the king's hand by Nessfield, on the grounds that their erstwhile owner, William de Beanley, had been 'an adherent of Gilbert de Middleton, traitor, and of the Scots, enemies of the late and present kings'. Beanley certainly did go over to the Scots - but probably not until after May 1320; at the time of Middleton's rebellion, he appears to have been serving loyally in the garrison of Berwick castle.<sup>73</sup>

*Historia Aurea*, ed. Galbraith, p. 209.

<sup>71</sup> 'Trokelowe Annales', ed. Riley, p. 101; *NCH*, ix, 58-60; *CPR 1317-21*, pp. 135, 141. Unsurprisingly, Selby forfeited his lands as an adherent of the Scots (*CPR 1317-21*, p. 335).

<sup>72</sup> 'Extracts from the Patent Rolls relating to the Rebellion of Gilbert de Middleton', ed. Thomas H. Turner, *AA*, 1st ser., iii (1844), *passim*; *Middleton*, pp. 86-105.

<sup>73</sup> *CPR 1358-61*, p. 233. For William Beanley, see above, pp. 35-6; Beanley was presumably in the king's allegiance in 1319, when he indented to serve in the marches in 1319 with Sir John de Cromwell (E 101/15/26) - though it has to be said that the Lancastrian rebel John de Lilleburn also indented to

A more reliable starting point for identifying Middleton's adherents is the sixty-two individuals given safe-conducts (on 25 September 1318, to last until 24 June following) to go 'to the Court of Rome on account of acts perpetrated in the Marches of Scotland, whereby they feel their consciences wounded'.<sup>74</sup> It was far from usual for marcher criminals to suffer a mass fit of guilt in this manner, and given the outraged reaction of contemporaries to the robbery of the cardinals, it was undoubtedly that particular act which gave rise to this collection of wounded consciences. These sixty-two men are therefore likely to have been Middleton's accomplices at Rushyford in September 1317 (or at least, those accomplices who still survived), against whom were directed the awesome spiritual penalties invoked by the cardinals.<sup>75</sup> That this pilgrimage was brought about by royal authority, rather than by any spontaneous outbreak of penitential religious fervour, is demonstrated by the case of the unfortunate Marmaduke Basset. Having gone to Rome, he neglected to obtain sufficient documentation to prove his absolution; and he was required to go all the way back there to get it!<sup>76</sup> As a punishment, a pilgrimage to Rome ought at least to have had the advantage of removing disaffected rebels from the marches for a while, as well as amounting to a not inconsiderable financial penalty. Unfortunately, many of these rebels proved reluctant pilgrims: in November, two months after these safe-conducts were granted, two of the recipients, John de Swinburne and William Maudit, were accused of assisting Sir John de Middleton and Walter de Selby in the robbery of sixty swine from Nicholas Scott, a prominent and loyal Newcastle knight; in the following February, five months after they were supposed to have set off to Rome, no less than five of the recipients were accused of being members of a gang which raided several North Riding manors belonging to John of Brittany. There is no reason to doubt that North Yorkshire was as near to Rome as these five - at least - ever bothered to go.<sup>77</sup>

serve on the same occasion.

<sup>74</sup> *CPR 1317-21*, pp. 211-12.

<sup>75</sup> *Vita Edwardi*, ed. Denholm-Young, pp. 83-4.

<sup>76</sup> *CPR 1317-21*, p. 399. Marmaduke eventually obtained a pardon for his adherence to Middleton in September 1322, at the request of Thomas Gray (father of the chronicler); nevertheless, the terms of this pardon still specifically excluded the robbery of cardinals (*CPR 1321-4*, p. 209).

<sup>77</sup> *CPR 1317-21*, pp. 289, 359. The five were William de Denton, John de Merley, Alan de Norton

Nevertheless, although these men may have proved somewhat disinclined to make proper atonement for their sins, the fact that only sixty-two were singled out for this treatment suggests that the attack on the Cardinals at Rushyford was actually rather a small scale affair, probably involving an ambush party of less than a hundred men.<sup>78</sup> Some of them were of some import in county society: William de Sweethope had been elected as knight of the shire in 1300, and had served on various judicial commissions in Hexhamshire for the archbishop of York; William de Tyndale was listed as a man-at-arms in the returns of 1324, went on to serve as sheriff of Northumberland in 1331-2, during which time he had himself elected to parliament, and was eventually knighted; William le Clerk was also named as a man-at-arms in 1324; and Hugh Basset ended up as a yeoman of Edward III's household.<sup>79</sup> Others were obscure relatives of more prominent malcontents: John de Swinburne was undoubtedly related to Adam de Swinburne, and William and Adam Mauduit to Roger Mauduit. The majority of the reluctant pilgrims of 1318 were, however, of no great standing at all. Robert de Seghill and his son, Walter, were presumably tenants of Walter de Selby, whose family had held Seghill since the 1240s; Alan de Norton was simply a member of Middleton's military retinue, serving with Middleton in Alnwick castle in 1315-16 (where he lost a horse valued at twelve pounds) - long before the contentious election of Louis de Beaumont.<sup>80</sup> And neither Middleton nor Selby had ever held any office.

Unsurprisingly, Middleton's rebellion seems to have left a core of malcontents in its wake, who continued to create disorder. Walter de Selby re-occupied Mitford castle during the Scottish invasion of January 1321. He surrendered it again on a promise of a pardon, but was thrown into the Tower of London for his pains. Evidently, he had been released by April 1326, when he was being accused by the Prior of Tynemouth of cattle-rustling. Amongst his sixteen named accomplices were

and William and Henry de Sweethope. John de Middleton was a cousin and accomplice of Gilbert.

<sup>78</sup> Although the well-informed *Historia Aurea* numbered the attackers at 600 (BL, MS Harley 655, f. 316).

<sup>79</sup> *The Register of William Greenfield, Lord Archbishop of York, 1306-15*, ed. A. Hamilton Thompson & W. Brown, SS (5 vols., 1931-40), i, *passim*; *Parl. Writs*, II, ii, 649-50; *Percy Chart.*, p. 202; *CPR 1334-8*, p. 78.

<sup>80</sup> *NCH*, ix, 56; E 101/376/7.

several other of Middleton's erstwhile adherents, such as Marmaduke Basset, Alan de Norton, Stephen de Cambhous, and Henry and William de Sweethope, along with the inveterate malefactor Hugh de Wales. Hugh was also implicated in another raid on the priory's estates at this time, along with two more former accomplices of Middleton, William de Nunnehous and Adam Collan.<sup>81</sup> Nevertheless, most of the trouble stirred up by Middleton's rebellion had been quenched by the beginning of Edward III's reign - at least, until it was stoked up again by John de Coupland.

### **The Murder of John de Coupland**

The career of John de Coupland could have provided medieval moralists with a model of the workings of Fortune's Wheel.<sup>82</sup> Rising from genteel obscurity, he achieved fame and fortune at Neville's Cross, and went on to serve as sheriff and escheator of Northumberland. Then, in December 1363, at the height of his power, he was suddenly brought low, murdered by his fellow Northumbrians. On the face of it, this would appear to be an extreme example of the sort of violence which has given medieval Northumberland its historiographical reputation for lawlessness. However, on closer examination, it would appear that Coupland was very much the author of his own fate. Following his term as escheator, Coupland put his experience to good effect, for in 1358, in collusion with William de Nessfield (appointed escheator for Yorkshire, Northumberland, Cumberland and Westmorland in May 1357), he began to orchestrate an extraordinary campaign of retrospective forfeitures.<sup>83</sup> There were many Northumbrians who had adhered to rebels such as Thomas of Lancaster or

<sup>81</sup> *CPR 1324-27*, p. 289. Apart from Hugh de Wales, all were amongst those receiving safe-conducts to go on pilgrimage to Rome in September 1318.

<sup>82</sup> An account of Coupland's career - and fate - can be found in Marie C. Dixon, 'John de Coupland - Hero to Villain', *The Battle of Neville's Cross*, ed. Rollason & Prestwich. For his family, see *NCH*, xi, 214-18.

<sup>83</sup> Prestwich, 'Gilbert de Middleton', p. 193; Dixon, 'John de Coupland', pp. 45-9. For an overview of Nessfield's career (which, however, makes no mention of these forfeitures), see A. Gooder, *The Parliamentary Representation of the County of York, 1258-1832*, vol. i, Yorkshire Archaeological Society Record Series xci (1935), pp. 116-19.

Gilbert de Middleton, or had gone over to the Scots, during the worst years of the Scottish raiding of Edward II's reign. Most of them had subsequently returned to the English allegiance; and as the English were in no position to turn them away, they were received back into the king's peace without any great recrimination, usually without ever having been legally condemned as traitors, or having had their lands confiscated. Half a century later, John de Coupland hit upon the scheme of holding these sins against the sons and grandsons of these men, with Nessfield arranging for the lands of former rebels to escheat to the king, on the grounds of their erstwhile adherence to the enemies and rebels of Edward II - irrespective of the present ownership of the lands in question. The fact that these retrospective forfeitures were confined solely to Nessfield's jurisdiction (Yorkshire, Northumberland, Cumberland and Westmorland) suggests that the initiative was a local one, rather than emanating from the crown; and that they were initially concentrated in Northumberland - where Nessfield had few prior interests or contacts<sup>84</sup> - suggests that it was Coupland who was the driving force rather than Nessfield. Nor is it likely that the crown's financial needs lay behind these forfeitures,<sup>85</sup> for with the kings of Scotland and France captive in England, royal finances were unwontedly healthy at this time, and there was simply no need for Edward to resort to such crude and oppressive expedients to raise what was a comparatively small amount of revenue. Indeed, in most cases, a token fine of just a few marks was levied; it was the handful of individuals who were singled out for punitive fines who accounted for the bulk of the income generated by these forfeitures.

As we have already seen, many of these allegations were malicious, or simply unfounded, such as those made against William de Beanley.<sup>86</sup> Perhaps the most obviously exaggerated - and blatantly self-serving - example was the confiscation of various lands in Scotton and Brearton, belonging to John de Scotton, John de Brereton, Ralph and Richard Warde, Robert Greyveson and Henry le Taillour, and

<sup>84</sup> Though Nessfield had been granted a life-time annuity of two pounds, plus a robe at Christmas, by Robert Bertram, lord of Bothal, in 1348 (*CIPM*, xi, no. 487).

<sup>85</sup> As suggested in *NCH*, xii, 499. The sound state of royal finances at this period is emphasised by Ormrod, *The Reign of Edward III*, pp. 88-9.

<sup>86</sup> Above, p. 151.

their assorted sons and wives, on the grounds that they were *all* adherents of Simon de Montfort, John Comyn of Badenoch, Andrew de Harcla, John de Lilleburn, Gilbert de Middleton, Jocelyn D'Eyville and the Scots! Clearly, these accusations were absurd on grounds of longevity alone. In fact, the accusations stemmed not from their possible guilt, but from Nessfield's land-hunger, for he was subsequently prepared to stump up the huge sum of £200 for a royal grant of these same lands - lands which happened to lie next to his own.<sup>87</sup> And clearly, that Nessfield was able to acquire some of the lands which he had caused to be forfeited explains his willingness to co-operate with Coupland's scheming. Coupland himself was also motivated at least partly by pure avarice, receiving a royal grant in July 1359, for good service (and a fine of 100 marks), of various parcels of land in Glendale, also taken into the king's hand by Nessfield.<sup>88</sup> Coupland's £500 annuity had originally been granted on a temporary basis, until lands became available; as ever, land was in short supply in Edward III's reign, so he could be sure of a favourable response to his requests - particularly as he continued to play a key military role in organising the defence of the marches, and so the king could ill afford to offend him. Coupland was thus able to acquire lands in Northumberland at no great expense to himself, by employing the crown's bureaucracy to his own ends, a form of disinheritance by administration. However, as we shall see, the acquisition of land was not Coupland's sole objective.

In fact, Coupland had already benefitted from the forfeitures of Northumbrian rebels long before this. In February 1344, citing his 'good service in the north', he had petitioned for a grant of the lands of John Heryng, William de Roddam and Richard de Edmanston, which had been taken into the king's hand 'because they joined the Scots, enemies and rebels of the late king [*i.e.* Edward II]'. A month later, and following an inquiry undertaken by the escheator, William de Felton (who held the office concurrently with the shrievalty), a writ was sent to the latter, ordering him to take the lands concerned into the king's hand; two days later, the keeping of these

<sup>87</sup> *CPR 1358-61*, pp. 288-9; Prestwich, 'Gilbert de Middleton', p. 193. The fact that Nessfield could afford such a sum is itself a telling indication of the profitability of his nefarious schemes (in fact, he was quickly excused half of this debt anyway - *ibid.*, p. 288).

<sup>88</sup> *CPR 1358-61*, pp. 233-4.

same lands was granted to Coupland.<sup>89</sup> Coupland was also involved with Felton and Thomas de Heton in holding an inquiry which led to a grant of lands forfeited by William de Middleton to Thomas Gray the younger (*i.e.*, the chronicler), in the same year.<sup>90</sup> In these cases, however, the forfeitures were of long standing. Roddam's forfeited lands, for instance, had already been granted out to several deserving recipients of royal patronage, whilst Middleton's lands had been held by his kinswoman Idonia, presumably in dower, and he had attempted to get hold of them illegally on her death.<sup>91</sup> The forfeitures of 1358 and after were of a different order, as a common petition of the parliament of January 1361 pointed out; the Commons complained of the activities of escheators, 'who by colour of their office have seized diverse lands as forfeit to the king for treason surmised in dead persons, who were never attainted of treason in their lives'.<sup>92</sup> Although no individual escheator is named in the petition, the complaint reflects precisely the activities of William de Nessfield, since his appointment as escheator in May 1357; and there is no reason to doubt that it was Nessfield - and, by association, Coupland - who was the subject of the petition.

Furthermore, these retrospective forfeitures affected some of the most influential in Northumbrian society. On 6 February 1358, a writ was sent to Nessfield requiring him to explain why certain of the lands of Sir John de Strivelyn and Barnaba, his wife, had been taken into the king's hand. The writ was returned with the explanation that these lands had been held by Adam de Swinburne, Barnaba's father, whom, Nessfield alleged, had 'joined the Scots in the time of Edward, the king's grandfather [*i.e.* Edward I], rode with them with banners displayed', and who had 'in the late king's time [Edward II] joined the Scots and Gilbert de Middleton'. Barnaba herself was said to have 'lived in Scotland in the family of Robert de Bruys against the king's allegiance', during the reign of Edward II. The lands in question had descended to her

<sup>89</sup> CCR 1343-6, p. 354; CFR 1337-47, pp. 366-7. The lands concerned were in Alnwick, Heatherslaw, Longhoughton, Prendwick, Reaveley and Ryle, all within fifteen miles of Coupland's *caput* at Coupland in Glendale. He still retained at least some of these lands at his death (E 101/28/4, no. 8).

<sup>90</sup> CFR 1337-47, p. 364-5; CPR 1343-5, p. 220; King, 'Sir Thomas Gray's *Scalacronica*', p. 24.

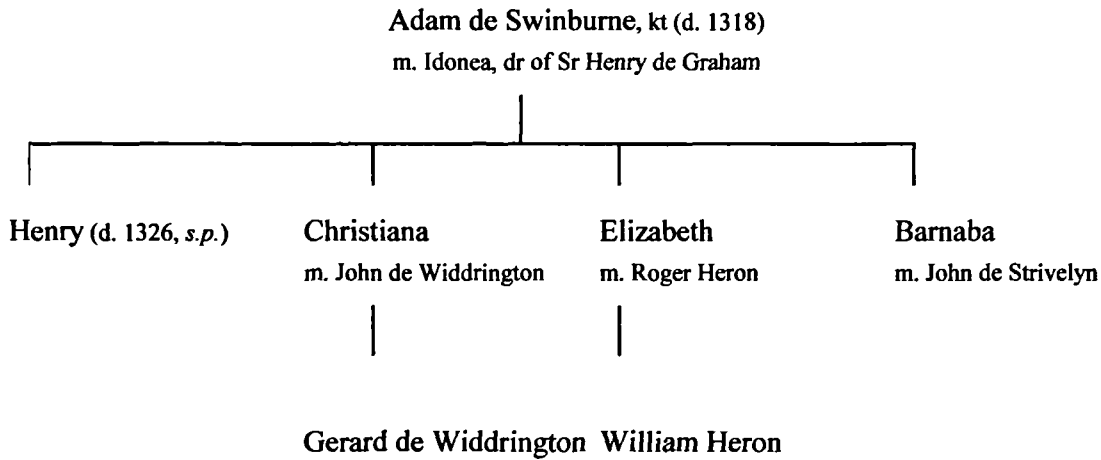
<sup>91</sup> CFR 1327-37, pp. 152, 314, 475-6; CFR 1337-47, p. 364-5; CPR 1343-5, p. 220.

<sup>92</sup> *Statutes of the Realm*, i, 367-8; Bellamy, *The Law of Treason*, p. 90.



from her father; and it was on these grounds that they were now confiscated.<sup>93</sup> However, Strivelyn, although a Scot himself, had always been loyal to the English

**Figure 2: The Heirs of Adam de Swinburne**



crown, and had performed sterling service in both Scotland and France; indeed, this service had (in 1335) earned him a grant of the Northumbrian estates forfeited by John de Middleton, who had joined the rebellion of his cousin Gilbert. And on 21 February, just a fortnight later, Strivelyn's lands were re-granted to him.<sup>94</sup> William Heron, the son of Elizabeth, another of Swinburne's daughters, suffered the confiscation of lands in Tynedale and Redesdale which he had inherited from Swinburne, along with additional lands which had previously been held by Adam de Shitlington, John de Stockhalgh and John de Denum, all described as adherents of the Scots,<sup>95</sup> as well as lands in Nunwick and Heatherslaw, taken into the king's hand on the somewhat sketchy grounds that 'some men who held the same before these times were adherents

<sup>93</sup> *CDS*, iv, no. 2; Figure 2. For Swinburne's adherence to the Scots in 1296, see pp. 18-19 above; for his involvement - or otherwise - in Middleton's rebellion, pp. 147-8 above.

<sup>94</sup> *CPR 1334-8*, p. 168; *CPR 1358-61*, p. 22. The crown's ignorance of the circumstances behind this seizure, and its rapid reversal on royal orders, again suggests a local initiative for the forfeitures. For Swinburne's heirs, see Figure 2.

<sup>95</sup> In fact, John de Denum was an adherent of Thomas of Lancaster (below, p. 201); Adam was presumably related to John de Shitlington who had sided with Scots in 1296 (above, p. 6); and a John de Stockhaugh was named amongst who raided several of John of Brittany's Yorkshire estates in February 1319, along with a number of erstwhile adherents of Gilbert de Middleton (including one John son of Master Adam de Denum) - he may perhaps be identified with the 'Scot' of that name who was captured by Jack le Irish in 1315 (*CPR 1317-21*, p. 359; E 101/376/7, f. 62).

of the Scots'. Despite 'the good bearing of the said William in these times of wars and his manifold services in the same wars' alluded to in the writ which ordered the restitution of these lands, Heron had to pay a hefty fine of 266 marks 8s 10½d for the privilege; and he was certainly held to this fine, for on the day after this writ was issued, he entered into a recognisance with the chancellor, the treasurer and the keeper of the hanaper for the full amount of his fine, and at least half of the debt was paid off.<sup>96</sup> Gerard de Widdrington, the son of Christiana, Swinburne's eldest daughter, forfeited properties in Tynedale, Redesdale and Cumberland, inherited from Adam; he also lost land in East Chevington, near Warkworth, which he had acquired in 1338 from Christiana, the widowed mother of John de Mautalent. As an adherent of Walter de Selby, John had forfeited his lands in October 1318; however, a moiety of East Chevington had been held by Christiana by enfeoffment of Robert Lumley, and was therefore not subject to forfeiture - though an inquest of 1318 had found that the reversion of this moiety lay with the king due to John's rebellion. It was this moiety which was now taken into the king's hand.<sup>97</sup> Like Heron, and despite having a war record to rival that of John de Strivelyn, including service at both Crécy and Neville's Cross, Widdrington had to make a similar fine to recover his lands, entering into a similar recognisance with the same royal officials (jointly with his younger brother Roger), and paying at least a quarter of it.<sup>98</sup>

Roger de Widdrington had been granted properties at Colwell, Gunnerton and Staincroft by Gerard; and as these had been inherited from Adam de Swinburne, they too were seized into the king's hand, as well as Roger's holdings in Capheaton, and Plessey and Shotton, where his family had been patiently building up their estates for a number of years.<sup>99</sup> The lands in Plessey and Shotton were seized on the grounds that

<sup>96</sup> *CFR 1356-68*, p. 74; *CPR 1358-61*, pp. 140-1; *CCR 1354-60*, p. 537.

<sup>97</sup> *CFR 1356-68*, p. 74; *CPR 1358-61*, p. 141; *CIM 1307-49*, nos. 366, 375; *CPR 1338-40*, p. 102. The lands forfeited by John de Mautalent in 1318 had been granted to Thomas Gray, in 1319 (*CPR 1317-21*, pp. 333-4).

<sup>98</sup> *CCR 1354-60*, p. 537; *Crécy and Calais*, ed. George Wrotesley (London, 1898), p. 89; *Rot. Scot.*, i, 678.

<sup>99</sup> *CFR 1356-68*, p. 74; *CPR 1358-61*, p. 142 (the original of this letter patent still survives, albeit in poor condition - NRO, ZRI 1/54). For the Widdringtons' acquisitions in Plessey and Shotton, see NRO, ZRI 1, *passim*.

‘Margaret one of the sisters and heirs of John de Plessys was seised of the premises at her death and that James de Hayden, who was born in Scotland against the fealty of the late king, was her next heir’, grounds which Roger claimed were spurious. Possibly, the crown accepted his claim, for in marked contrast to his brother, he was required to pay only ten pounds for the restoration of his lands.<sup>100</sup> What makes this case particularly interesting is that in his capacity as sheriff, Coupland had himself witnessed two deeds in April 1356, by which Haydon had quitclaimed all his rights in the manors of Plessey and Shotton;<sup>101</sup> he would therefore have known that Haydon had a claim to these lands, without necessarily knowing exactly what that claim was. He probably came away with a misunderstood or garbled version of the relationships which lay behind this transaction, a version which he later passed on to Nessfield, for Coupland is the obvious source for the accusation which led to the confiscation of Widdrington’s lands. Indeed, the Widdringtons seem to have been singled out for particular attention. Roger de Widdrington of Denton, a cousin of Gerard and Roger, suffered the forfeiture of property at Shotton, Glendale - property which ended up in Coupland’s acquisitive hands, by the royal grant of July 1359.<sup>102</sup>

In fact, Coupland’s motive for arranging these forfeitures may not have been primarily to acquire the lands which were forfeited, but rather to undermine the wealth and standing of certain of his neighbours with whom he was in dispute: in particular, the Heron family and their allies. In 1351, Coupland had acquired the reversion of a moiety of the barony of Wooler, presently held by Ralph de Neville, together with the three knight’s fees which pertained to it, from John de Lilleburn.<sup>103</sup> The deal may well have flouted the rights of Lilleburn’s wife, for she subsequently sued Coupland’s widow for dower in these properties (that she waited until after Coupland’s death to do so is itself an interesting comment on the influence that he was perceived as

<sup>100</sup> NRO, ZRI 1/53 (it has to be said that Roger was understandably tardy about paying even this sum).

<sup>101</sup> NRO, ZRI 1/22, 23.

<sup>102</sup> *CPR 1358-61*, p. 233; *NCH*, xi, 184. Shotton in Glendale should not be confused with Shotton near Plessey, nearly forty miles to the south-east, where Roger’s cousins held property (for their relationship, see *Families*, ii, 103, 133).

<sup>103</sup> *NCH*, xi, 321. Lilleburn himself had acquired the properties in the course of his unsatisfactory dealings with the impecunious Nicholas de Huntercombe (*Feet of Fines, Northumberland, 1273-1346*, Newcastle upon Tyne Record Series xi (1932), no. 259; *NCH*, xi, 319-20; and see below, p. 175).

wielding); it is therefore unlikely to have been coincidence that after Lilleburn's death, an inquiry held by William de Nessfield found that the reversion and the knights' fees in question ought to belong to the king, on the grounds that 'John de Lilleburn was an adherent of Gilbert de Middleton, traitor to the king's father, and of the Scots'; and that in November 1358, the properties were granted to Coupland and his wife as a gift of the king.<sup>104</sup> Coupland had thus acquired a virtually unassailable legal title to his acquisitions, at the cost of a fine of 100 marks - considerably less than the expenses he might otherwise have incurred in legal wrangling with Lilleburn's widow, or with William, Lilleburn's son and heir. Moreover, William's prospects of being able to afford to mount a challenge to Coupland in the courts were further impaired by the fine of 266 marks which he had to pay for the restitution of the rest of his father's lands, *all* of which had been confiscated.<sup>105</sup>

Aside from any dispute with the wife and son of John de Lilleburn, Coupland's acquisition of the three knight's fees pertaining to the manor of Wooler certainly led to acrimonious litigation with the tenants, when Coupland tried to enforce the services due to him as the lord of these fees.<sup>106</sup> Prominent amongst these tenants were William Heron and some of his close family. The Herons were a well established family, having held land in Northumberland since the late twelfth century; and this prominence was reflected in a long record of service in such offices as sheriff, knight of the shire and keeper of the peace.<sup>107</sup> By contrast, Coupland was very much an *arriviste*, coming from a family of no such import. His grandfather, David de Coupland, was a knight; but David seems to have the first - and last - of his family to

<sup>104</sup> *CPR 1358-61*, p. 121-2; *NCH*, xi, 322; Dixon, 'John de Coupland', p. 45. John de Lilleburn died in April 1355 (*CIPM*, x, no. 248).

<sup>105</sup> *CPR 1358-61*, p. 141. Curiously - and aside from the small matter of the fine - this restitution was ordered because 'John ... in fact bore himself well towards the late king [*i.e.* Edward II]', presumably quoting *verbatim* from a petition from William. In fact, while John de Lilleburn almost certainly was not an adherent of Middleton, he certainly was a prominent adherent of Thomas of Lancaster, and had seized Knaresborough castle in Lancaster's name.

<sup>106</sup> *CDS* iii, no. 1556; CP 40/367, mm. 78, 228d.

<sup>107</sup> W. Percy Hedley, 'The Origin of the Families of Heron and Swinburne', *AA*, 4th ser., xxxvii (1959), pp. 296-9; *Families*, ii, 41-3.

be thus distinguished.<sup>108</sup> Coupland's father, a younger son of Sir David (and also called John), had served with John de Lilleburn in Mitford castle in 1316, on the Scottish expedition of 1322, and in Gascony in 1325; but although he was paid one shilling per day in 1322, the going rate for a man-at-arms, he was not listed amongst Northumberland's men-at-arms in July 1324.<sup>109</sup> Coupland himself acquired most of his family lands only by the expedient of having his cousin Joan Mautalent disinherited, on the grounds of her alleged bastardy;<sup>110</sup> and although he subsequently earned himself a higher status, being 'appointed ... to the estate of knight banneret' following his capture of David II, he was - exceptionally - never actually knighted; indeed, in November 1358, he was granted exemption from knighthood for life.<sup>111</sup> And unlike many of his Northumbrian contemporaries - such as the Herons themselves, with their showily fashionable courtyard castle at Ford, licensed in 1338, or the Widdringtons, who owned a similarly modish machicolated tower, licensed in 1341 - he never bothered to build a castle for himself, to mark out his new-found standing.<sup>112</sup> Although Coupland undoubtedly was a *parvenu*, he did not behave like one, eschewing the martial status symbols beloved by his fellow marchers; possibly, if he had made more of an effort to fit in with their *mores*, he might have antagonised them less. But in any event, with their long and proud lineage, the prospect of

<sup>108</sup> *Manuscripts of the Duke of Rutland*, iv, 73; *Lay Sub.*, no. 282 (Sir David's wealth was assessed at nearly £7 in 1296).

<sup>109</sup> *CPR 1313-17*, p. 396; *CPR 1321-4*, p. 185; BL, MS Stowe 553, f. 59v.; *CPR 131324-7*, p. 167; and cf. *Parl. Writs*, II, ii, 649-50. This was presumably Coupland's father, rather than Coupland himself, as the John de Coupland who was defending Mitford in February 1316 is unlikely still to have been active in December 1363.

<sup>110</sup> *NCH*, xi, 216-18; Dixon, 'John de Coupland', pp. 36-7.

<sup>111</sup> *CPR 1345-8*, pp. 226-7; *CPR 1358-61*, p. 121. Coupland's promotion to the rank of banneret without ever being knighted is possibly unique. Quite why he objected so strongly to being knighted is not clear; certainly, he would appear to have had nothing to lose by it, for he was already heavily involved in administrative and military affairs, and clearly wielded influence enough to evade any unwelcome additional duties.

<sup>112</sup> *CPR 1338-40*, p. 114; *CPR 1340-3*, p. 289. The tower at Coupland was not built until the end of the sixteenth century; no fortification was mentioned at Coupland in the list of 1415, and according to a survey of 1514, there was 'neither fortress nor barmekyne' (*NCH*, xi, 227-8; Nikolaus Pevsner & Ian Richmond, *The Buildings of England: Northumberland*, rev. by John Grundy *et al.* (2nd edn, Harmondsworth, 1992), p. 243).

rendering feudal service to such a jumped-up nobody can only have been deeply distasteful to the Herons. William Heron had already conveyed the lands in question, at Ford, to his son Roger, who was under age; Roger now enfeoffed his two younger brothers with the manor of Ford, in order to defraud Coupland of the same service - or so Coupland himself claimed, when he sued them in court.<sup>113</sup> The eventual outcome of this case is not clear; but it clearly did leave a legacy of rancour. This rancour can only have been enflamed when, in his capacity as sheriff, Coupland was ordered to distrain William Heron (along with Roger de Widdrington and William de Swinburne) to appear at Westminster to answer a charge of armed robbery, at Michaelmas 1351 - the same time as he was suing Heron in the court of Common Pleas.<sup>114</sup> Certainly, Coupland appears to have taken advantage of his office to harass Heron, for in 1353, the latter complained that the sum of ninety-one pounds was being exacted from him by the sheriff (*i.e.* Coupland), despite the fact the sum had been paid to him for wages owed under the terms of an indenture for service on the Marches over a decade previously.<sup>115</sup>

By arranging for the forfeiture of the heirs of Adam de Swinburne, Coupland was able to threaten the landed wealth of both the Herons and the Widdringtons.<sup>116</sup> The Widdringtons were of a similar standing to the Herons, with an equally ancient lineage and a similar record of service, and the two families were evidently on good terms; William Heron and Gerard de Widdrington were brothers-in-law, and when the Widdringtons were acquiring their interests in Plessey and Shotton, the Herons frequently acted as witnesses or as feoffees for them, despite having no interests in the area themselves.<sup>117</sup> William de Lilleburn was also allied with the Herons, being

<sup>113</sup> CP 40/367, mm. 228d.; *NCH*, xi, 376; Dixon, 'John de Coupland', p. 43.

<sup>114</sup> *CDS*, iii, no. 1555.

<sup>115</sup> *CCR* 1349-54, p. 563. The indenture concerned (from 1342) still survives, as E 101/68/3 (56).

<sup>116</sup> John de Strivelyn's forfeiture could thus be accounted for as 'collateral damage', for Nessfield could hardly disinherit some of Adam de Swinburne's heirs without disinheriting them all; certainly, Strivelyn was not required to pay any fine to get his lands back.

<sup>117</sup> NRO, ZRI 1/19, 21-2, 35, 74-6, 85. For the lineage of the Widdringtons, see W. Percy Hedley, 'The Early Widdringtons of Widdrington', *AA*, 4th ser., xxxv (1957); *Families*, ii, 94-6. The Heron's estates were centred on Ford, some thirty-five miles to the north-west.

married to Elizabeth, the daughter of William Heron.<sup>118</sup> It is surely no co-incidence that these three closely-tied landowners were, with the addition of John de Eure, the only ones to be charged very substantial fines for the restitution of their lands - though quite why Eure was also singled-out is not clear.<sup>119</sup>

Faced with this assault on their landed wealth, the victims of Coupland's scheming evidently sought redress from the king. As we have seen, a common petition was delivered at the parliament of January 1361, denouncing escheators who indulged in retrospective forfeitures; so it is interesting to note that Northumberland was represented in this parliament by Roger de Widdrington and Thomas Surtees: Widdrington clearly had a direct personal interest in limiting the activities of Nessfield and Coupland, and there can be little doubt that it was he who was behind this common petition; indeed, as there were many other prominent Northumbrians who had suffered similar forfeitures, there is no reason to doubt that Widdrington had been elected by his fellows specifically to ensure that this matter was raised at parliament. If so, they achieved their aim, for in response to this petition, a statute was enacted which limited such land seizures; and whilst the statute applied only to forfeitures arising from the reign of Edward I or before<sup>120</sup> - thus excluding those stemming from the rebellion of Gilbert de Middleton (*i.e.*, virtually all of the Northumbrian cases) - in practice, there seems to have been a cessation of such forfeitures until after Coupland's death.

Coupland was in fact playing with fire, for land law in medieval England was founded on rights of inheritance that had come to be regarded as almost absolute, and the threat of retrospective disinheritance could be politically explosive; thus, rumours that Richard II intended to disinherit the house of Lancaster, on the grounds of Thomas of Lancaster's rebellion against Edward II, may well have helped to bring about his deposition.<sup>121</sup> And like Richard, John de Coupland was brought down by Fortune's wheel. On 20 December 1363, he was ambushed and murdered at Bolton

<sup>118</sup> *Feet of Fines, Northumberland, 1273-1346*, no. 268. The marriage had been arranged in 1336, when William was little more than a toddler (cf *CIPM*, x, no. 248).

<sup>119</sup> Eure had to pay £400 for the restoration of his lands, in May 1360 (*CPR 1358-61*, p. 361).

<sup>120</sup> *Statutes of the Realm*, i, 367.

<sup>121</sup> C. Given-Wilson, 'Richard II, Edward II, and the Lancastrian Inheritance', *EHR* cix (1994).

Moor, near Alnwick.<sup>122</sup> Naturally, the king was furious; just a week later, on 28 December, a commission was issued to five of the most eminent men in Northumbrian political society, Henry de Percy, Ralph de Neville, Henry and Alan del Strother, and Richard de Horsley, to investigate the killing and to arrest those responsible for it. An inquiry was duly held on 24 January, at the castle of Newcastle on Tyne.<sup>123</sup> The jurors found that Coupland had been murdered by an armed gang, who had lain in wait for him, twenty-two of whom they named. These included Sir John Clifford and his brother Thomas, William, Alan and Richard de Vaus, Henry de Lucker, Thomas Brewster and Alan de Fenwick. The jurors added that, as far as they knew, the malefactors had been acting on their own initiative, and that nobody had received the felons because they had at once fled to Scotland. Of course, this was all very convenient, as it avoided any hint of complicity by other Northumbrians. And of course, it was rather too convenient to be true. Two other commissions were appointed to look into the same events; on 20 January, even before the original commission had got round to holding its inquiry, Aymer de Athol, William de Nessfield, Henry de Bellerby and Thomas de Brotby were ordered to make inquiry 'touching the death of John de Coupland ... in respect of which, justice has not yet been done'. Athol and Nessfield were also appointed to an additional judicial commission, which was lent some extra *gravitas* by the addition of Gilbert de Umfraville, earl of Angus. These new inquiries revealed that far from acting alone, Clifford and his gang had been aided, abetted and received by a number of prominent marchers - the most heavily implicated being Sir William Heron, Sir Roger Heron, Sir Richard Tempest, Nicholas Raymes, Joan, the widow of Thomas de Heton (and neice of John de Clifford), and several other of the Herons - whilst the misery of Coupland's widow had been further compounded by a Christmas sheep-rustling

<sup>122</sup> The murder was notorious enough to attract the attention of Henry Knighton (ed. Martin, p. 186) who described Coupland as 'ualens homo de boriali plaga scutifer elegans et audax', though he seems to have known none of the details.

<sup>123</sup> *CPR 1361-4*, p. 453; C 145/187/19, nos. 1, 2, 5 (calendared in *CIM 1348-77*, no. 531). It is an interesting reflection of the ingraining of bureaucratic habits in fourteenth-century local government that the commissioners, who included Richard de Horsley amongst their number, produced a written mandate ordering the sheriff of Northumberland to empanel a jury for the inquest - the sheriff of Northumberland being none other than Richard de Horsley (C 145/187/19, no. 3).



expedition, led by Henry de Lilleburn, who had stolen forty-marks worth of her beasts (though this was probably just a piece of somewhat unchivalric opportunism, rather than a pre-arranged part of the murder plot).<sup>124</sup>

As has been pointed out, the failure of the first inquiry to reveal the support for the murderers is not altogether surprising, for the first name on the list of jurors was one William Heron, *miles*;<sup>125</sup> and amongst the other jurors were such influential figures as John de Eure, Henry de Haverington, Roger de Widdrington and Thomas de Horsley, all of whom had suffered forfeitures arranged by Nessfield and Coupland - and who would all subsequently stand bail for the abettors of his murderers.<sup>126</sup> Indeed, the jury has every appearance of having been deliberately selected from the victims of Coupland's scheming; and again, this would not be surprising, for it was empanelled by Richard de Horsley, who was related to Thomas. Clearly, this first 'inquiry' was nothing but a systematic cover-up, presumably with the connivance of Henry de Percy and Ralph de Neville. Yet despite the support of such eminent magnates, the cover-up failed, for the two subsequent commissions proved less amenable to jury 'packing'. But what led the crown to doubt the reliability of the original inquiry in the first place? Here, it is surely significant that Alan del Strother had been appointed to this first commission - though he seems to have failed to appear on the day of the inquiry.<sup>127</sup> What makes this significant is that Alan was Coupland's brother-in-law, and as both he and his brother Henry subsequently helped their sister Joan (Coupland's widow) to sue against 'the evildoers who slew the said John or those who harboured them', it is obvious where their sympathies lay.<sup>128</sup> When Alan realised that the original inquiry was going to be nobbled - which must have been evident as soon as the list of potential jurors was drawn up<sup>129</sup> - he evidently decided to have nothing further to do

<sup>124</sup> *CPR 1361-4*, p. 454; Just 1/661, mm. 1, 1d., 6. Also serving on the commission with Umfraville were William de Skipwyth and William de Rise, royal justices who had previously delivered the gaol of Newcastle (Just 3/145, m. 330); Skipwyth had also served on a commission of the peace in the county in 1359 (*Fædera*, III, i, 464). For Joan de Heton's relationship to John de Clifford, see n. 134, below.

<sup>125</sup> C 145/187/19, no. 5; Tuck, 'Northumbrian Society', p. 37.

<sup>126</sup> *CPR 1358-61*, pp. 172, 361; *CIPM*, x, no. 550; Just 1/661, m. 8.

<sup>127</sup> Compare C 145/187/19, no. 1, with *ibid.*, no. 5.

<sup>128</sup> *CCR 1364-8*, p. 292 (also calendared in *CDS*, iv, no. 124).

<sup>129</sup> C 145/187/19, no. 4.

with it; and it would seem reasonable to suppose that he informed the crown of his doubts, resulting in the appointment of the subsequent commissions. Certainly, Alan del Strother was the first-named amongst the jurors at the second inquest, which implicated the Herons, before a commission which included William de Nessfield; and Nessfield, of all people, could be relied upon not to collude in a cover-up around the murder of his colleague.<sup>130</sup> Furthermore, on 26 January, Alan, now described as the king's valet, was appointed to replace Coupland as the sheriff of Roxburgh, and keeper of the castle; and on the 28th, his brother Henry was appointed to replace Richard de Horsley as sheriff of Northumberland.<sup>131</sup>

The second and third inquiries resulted in the summoning of Sir William Heron, and his sons John, Walter and Thomas, Sir John Heron, Sir Roger Heron, Sir William de Lilleburn and Nicholas Raymes, to be before the king's council at Michaelmas. They were mainprised to be there by a wide cross-section of the great and the good of Northumbrian political society, thirty-three in number, including seven knights. Several of these had been amongst the jurors at the abortive first inquiry; and the fact that such eminent figures as John de Strivelyn, Henry de Haverington and John de Eure were prepared to stand bail for those who had aided the killers of John de Coupland is a telling indication of the levels of resentment that his activities gave rise to. Nor, it would appear, was the search for Coupland's killers conducted with any great zeal; the thirty-three mainperners also included one William de Vaus - and a William de Vaus was named as one of Coupland's murderers.<sup>132</sup>

However, whilst Coupland's role in arranging retrospective forfeitures explains the level of support for his murderers, it does not entirely explain the circumstances of his murder; for despite the limited scope of the statute of January 1361, in practice, there appear to have been no further such seizures of lands between then and

<sup>130</sup> Just 1/661, m. 1.

<sup>131</sup> *Rot. Scot.*, i, 880; *CFR 1356-68*, p. 280.

<sup>132</sup> Just 1/661, m. 8 (and cf *ibid.*, mm. 1, 6). For that matter, two of the other mainperners, Robert de Clavering and Robert de Tughall, were accused of receiving and abetting the murderers (*ibid.*, m. 1d). On the other hand, some of the mainperners may not have been volunteers: Henry Delaval, for instance, was a minor in William Heron's ward (he was proved to be of age in January 1366 - *CIPM*, xi, no. 618), a technicality which Heron's allies obviously managed to conceal. As a ward, he would have been in no position to refuse such a demand from his custodian.

Coupland's death. The immediate cause of the murder appears to have arisen from a long-running dispute within the Heton family.<sup>133</sup> Thomas, the illegitimate younger brother of Alan de Heton, had died in August 1362, leaving as his heir his eleven year-old son, the imaginatively named Thomas. The wardship was granted (for forty marks *per annum*) to a consortium of Northumbrian gentry, including William Heron and Thomas de Clifford, as well as Heton's widow Joan, who was Clifford's niece.<sup>134</sup> As they would have been eager to maximise the profits of their investment, it was doubtless this consortium which was behind an action brought against William de Heton (Alan's son), to recover the disputed manor of Chillingham, on behalf of the young Thomas - an action which failed when the latter died in the autumn of 1363.<sup>135</sup> The heir of the young Thomas was his younger brother Henry, and under the terms of the original grant, his wardship went to his mother Joan, and her friends and relations. However, any attempt to revive the action over Chillingham was thwarted by William, who, in November 1363, took out a protection for a year's service in the garrison of Roxburgh, with John de Coupland.<sup>136</sup> William's father Alan was evidently an ally of Coupland's. He was certainly prominent in helping the latter's widow in her attempts to bring her husband's murderers to justice, and he was granted the keeping of the forfeited lands of John de Clifford, the prime suspect;<sup>137</sup> so it is not unlikely that William's letters of protection were obtained fraudulently, with Coupland's collusion.

<sup>133</sup> This dispute is discussed below, pp. 173-7.

<sup>134</sup> *CIPM*, xi, no. 341; *CFR* 1356-68, p. 235. The record of an action of 1399 indicates that Heton's widow was the daughter of Robert de Clifford, Thomas de Clifford's elder brother ('Extracts from the *De Banco* Rolls relating to Northumberland, 1308-1558', ed. F.W. Dendy, *AA*, 3rd ser., vi (1910), p. 66; *Families*, ii, 3; *NCH*, ix, p. xi). Another of this consortium, Edward de Letham, was a Berwickshire knight with a long military career in the service of the king of England. He had served with Ralph de Neville in 1336, and in the garrison of Roxburgh castle, 1340-2 (E 101/19/36, mm. 3d, 4; E 101/22/40, m. 1), serving on both occasions alongside John de Clifford, Thomas' uncle (*Families*, ii, 3).

<sup>135</sup> 'De Banco Rolls', ed. Dendy, p. 57. The demise of the young Thomas is related in a rather tendentious petition of the earl of Northumberland concerning the Heton family lands, made in 1400 (*CIM* 1399-1422, no. 6); this mentions an inquest *post mortem* for Thomas which does not appear to have survived.

<sup>136</sup> *CDS*, v, no. 3954.

<sup>137</sup> *CCR* 1364-8, pp. 194-5, 292; *CFR* 1356-68, p. 297. Coupland had witnessed deeds for him in 1357 (NRO, ZSW 2/28, 29), and Alan's daughter Mary was married to John del Strother, the eldest son of Coupland's brother-in-law, Henry (NRO, ZSW 4/29).

A month later, Coupland was dead; his continuing abuse of royal office to further the interests of himself and his friends had finally proved intolerable to William Heron and the Cliffords.

The murder gang seem to have made a successful getaway - apart from Thomas Brewster, who was eventually caught and probably hanged.<sup>138</sup> Nevertheless, some of them were soon back in the county; in November 1366, Henry de Lucker raided Barmoor, near Lowick, stealing two horses and twenty-pounds worth of goods from Robert de Muschamp.<sup>139</sup> This evidently caused a panic, and wild rumours reached as far as Westminster, for in the following January, a commission was sent to Thomas Gray, Alan de Heton, Robert de Haggerston and David Gray to arrest certain unspecified Northumbrians who were accused of having brought John de Clifford, 'enemy and rebel of the king', with his household, to Bamburgh, where they were planning to seize the castle, a plot which was said to be 'well known in the parts of Northumberland and not unknown to them'.<sup>140</sup> Clifford was eventually pardoned - but not until the parliament of January 1377, and then only at 'the special asking of the nobles, magnates and commonalty of the realm, and for good service in the king's wars in France and elsewhere', whilst he was required to find mainpernors for his continued good behaviour. His pardon is an illuminating demonstration of the workings of gentry networks, for Northumberland's representatives at this parliament included Bertram de Monboucher, who had stood as mainpernor for the Herons back in August 1364. However, Clifford's lands had been granted to Coupland's widow in 1366; they were never restored, and the family was effectively extinguished - though as neither he nor his younger brother seem to have had any male heirs, the family lands, which were all held in tail mail, would have been lost after their deaths anyway.<sup>141</sup>

<sup>138</sup> KB 27/447, Rex, m. 25d.; Dixon, 'John de Coupland', pp. 40-1.

<sup>139</sup> *CIPM*, xv, no. 248; KB 27/479, m. 32d.

<sup>140</sup> *CPR 1364-7*, p. 371. Thomas Gray and Heton had both been partisans of Coupland, and continued to support his widow.

<sup>141</sup> *CPR 1364-7*, p. 200; *CPR 1374-7*, p. 435; Just 1/661, m. 8; *NCH*, ii, 233-43; *Families*, ii, 2-3. Clifford's pardon put him in distinguished company; a similar general pardon was issued to Sir John Hawkwood on the same occasion.

Until he murdered Coupland, Sir John de Clifford was a man of some standing; his family had held the barony of Ellingham since the late thirteenth century. He had served with distinction at Neville's Cross, capturing Walter de Haliburton (for whom he was granted 400 marks by the king), and served as sheriff for two years from June 1348 - being succeeded in this office by Coupland.<sup>142</sup> He may have borne an additional grudge against Coupland, for in March 1359, the latter had headed an inquiry which had uncovered a scam that Clifford had perpetrated whilst serving as sheriff of Berwickshire. This had involved extracting bail of 500 marks from Simon Chawdy, burgess of Berwick, who had stood bail for two Scots captured by Clifford's men - despite the fact that their capture had already been declared to be in breach of a truce by the wardens of the march, and their ransoms had been remitted.<sup>143</sup> Of the other murderers, the de Vaus' were linked to the Widdringtons, by the marriage of John, the eldest son of Adam de Vaus (the head of the family) to Roger's daughter Barnaba.<sup>144</sup> The settlement was made in 1356-7, when both parties were still underage; it would appear that the marriage did go ahead, but that Barnaba died soon afterwards: a deed of May 1362 records John de Vaus as being married to a certain Mary, but still retaining lands which had been granted to him and Barnaba on condition that the marriage went ahead. Prominent amongst the witnesses to this deed were Gerard and Roger de Widdrington, William and John Heron, and Robert and Thomas de Fenwick.<sup>145</sup> Henry de Lucker was a younger brother of John de Lucker, and John (now deceased) had been amongst those sued by John de Coupland, in the dispute over the knight's fees he acquired from John de Lilleburn.

<sup>142</sup> *CPR 1345-8*, p. 285 (and cf. *Rot. Scot.*, i, 678); *NCH*, ii, 233-43; *Families*, ii, 2-3. Clifford had been knighted by June 1362 (*NDD*, p. 113). Intriguingly, a John de Clifford had served alongside Coupland in the Scottish campaign of 1337, and in the garrison of Roxburgh, 1340-1 (E 101/20/17, m. 9; E 101/22/40, m. 1); this was probably the present John's uncle (cf. *Families*, ii, 3).

<sup>143</sup> *CIM 1348-77*, no. 343.

<sup>144</sup> NRO, ZRI/94, 97; *Greenwell Deeds*, ed. Walton, nos. 207-10; *NCH*, iv, 201-2. The marriage settlement involved an elaborate series of land transactions; interestingly, one of these makes provision for the effects of Scottish raiding (*Greenwell Deeds*, no. 210). The exact relationship of William, Alan and Richard de Vaus to Adam is not clear.

<sup>145</sup> Printed in *NCH*, ix, 320n.

It has been argued that those who abetted Coupland's murderers - principally the Herons - were treated with 'leniency'.<sup>146</sup> However, after being summoned before the council at Michaelmas 1364, Sir William Heron, Sir John Heron, Sir Roger Heron, John Heron, esquire, Sir William de Lilleburn, Nicholas Raymes and Joan de Heton were all imprisoned in various royal castles around England;<sup>147</sup> and they were required to make substantial fines to obtain their freedom. Thus Sir John Heron was released in February 1366, on making the huge fine of £1000.<sup>148</sup> William Heron was not released until August, for an even greater fine of £2000, for which he had to find nine mainpernors. All nine were prominent Northumbrians, such as John de Strivelyn, Roger de Widdrington and Robert de Umfraville; three of them had been on the 'packed' jury of the first inquest, and all but two had stood bail for the Herons in August 1364.<sup>149</sup> The fine was eventually remitted in July 1376, by which time William had paid £500; but even this concession may have been forced on the King, for it came immediately after the Good Parliament, at which Northumberland was represented by Robert de Umfraville.<sup>150</sup> Certainly, the issue of retrospective forfeitures was aired again at this parliament, for the 'povres communes' of Northumberland complained about the practice, petitioning for a general pardon for all such forfeitures and requesting that no lands should be seized thus in times to come.<sup>151</sup> Nevertheless, the forfeiture of lands suffered by John de Clifford and Henry de Lucker, and the imprisonment and financial penalties imposed on the Herons contrasts sharply with the lenient treatment meted out to such notorious bandits as the Folvilles and the Coterels.<sup>152</sup>

<sup>146</sup> Tuck, 'Northumbrian Society', p. 37.

<sup>147</sup> Just 1/661, m. 8; *CCR 1364-8*, pp. 84-5; *CCR 1364-8*, p. 152.

<sup>148</sup> *CCR 1364-8*, p. 265. Heron made a recognisance for 3000 marks with his mainpernors, Master Alexander de Neville, John de Hatfield, and John de Mitford, presumably as a form of insurance against his default (*ibid.*).

<sup>149</sup> *CDS*, iv, no. 123; *CPR 1374-7*, pp. 298-9; C 145/187/19, no. 5; Just 1/661, m. 8.

<sup>150</sup> *CPR 1374-7*, pp. 298-9. William had already paid 500 marks in December 1366, at which time Sir John Heron paid £110, and Nicholas Raymes and William de Lilleburn lesser sums (*CPR 1364-7*, p. 338).

<sup>151</sup> *Rot. Parl.*, ii, 349-50.

<sup>152</sup> E.L.G. Stones, 'The Folvilles of Ashby-Folville, Leicestershire, and their Associates in Crime, 1326-47', *TRHS*, 5th ser., vi (1957), 127-9, 132-4; J.G. Bellamy, 'The Coterel Gang: the Anatomy of a

The murder of John de Coupland is usually cited by historians as evidence for the lawless nature of Northumbrian society; paradoxically, however, it may be taken to indicate precisely the opposite. Coupland was typical of the 'new men' who rose to prominence in fourteenth-century Northumberland, owing his rapid social advance entirely to the fortunes and profits of war.<sup>153</sup> Although his family was of no great standing, he had risen to a level of unprecedented power and influence in Northumberland. In 1358, he had exerted this power and influence systematically to manipulate the machinery of royal government, through the agency of William de Nessfield, in an attempt to disinherit, or failing that, to financially cripple his local rivals and their allies. By dredging up the tergiversations of Adam de Swinburne, back at the turn of the century, he was able to threaten the landed wealth of the Herons and their allies the Widdringtons, two families who had already established themselves in Northumbrian society long before 1296, and who doubtless resented the rise of jumped-up men-at-arms such as Coupland, who owed their advance entirely to the vagaries of war. That Nessfield was prepared to go along with this is not to be wondered at, for it gave him the chance to enrich himself. What is rather more surprising is that the crown did so little to curb such blatant corruption, suggesting that Edward III's management of provincial society was - at least in this instance - rather less skilful than has been argued.<sup>154</sup>

Nevertheless, it should be stressed that in trying to achieve his nefarious aims, Coupland remained entirely within the letter of the law; the means he used may have been unscrupulous, underhand and self-serving - but they were usually not actually criminal: Coupland preferred to disinherit his enemies by administration rather than by brute force. And it says a great deal for the strength of royal government and the level of respect for law and order in Northumberland that he was able to do so. Faced with this rampant abuse of royal authority, the gentry of the county did not resort to arms at the first instance, but made their protests through the proper channels, presenting a petition for redress in parliament. Only after another five years - when it had become transparently clear that Coupland's continued abuse of office was not

Band of Fourteenth-Century Criminals', *EHR* lxxix (1964), p. 710-12.

<sup>153</sup> Tuck, 'Northumbrian Society', p. 35-6; Lomas, *North-East England in the Middle Ages*, pp. 68-70.

<sup>154</sup> Cf. Ormrod, *The Reign of Edward III*, pp. 145-70.

going to be effectively curbed by royal action - did they take the law into their own hands. Even then, they did not resort to open rebellion, but tried to cover-up their misdeeds by manipulating the machinery of royal government in which they themselves had a prominent role; and when they were caught out, there was no attempt to resist, or even to evade, the sanctions imposed by the king's council in Westminster. Here, a telling comparison may be made with events just across the Scottish border, some two decades previously. After Alexander Ramsey had daringly stormed Roxburgh castle in March 1342, he was appointed keeper of Roxburgh and sheriff of Teviotdale by David II in an effort to extend royal authority on the borders; however, the same sheriffdom was coveted by Ramsey's erstwhile comrade-in-arms, William Douglas, and within three months, Douglas had abducted him and locked him up at Hermitage castle where he was starved to death. After a brief outbreak of feuding, David backed down and appointed Douglas as sheriff in place of the man he had murdered.<sup>155</sup> Ramsey was murdered because William Douglas found the mere prospect of any royal interference in his sphere of influence intolerable; by contrast, John de Coupland was murdered because his continued abuse of existing royal authority finally became intolerable to his neighbours - but only after several years, and then only when all legal means of obtaining redress had been exhausted. Given the bitter resentments his actions stirred up, it is surprising not that Coupland was murdered, but that he was able to get with it for as long as he did.

### **The Heton Family Feud**

John de Coupland's murderers had many reasons for killing him, but, as we have seen, the *casus belli* was provided by a protracted feud within the Heton family. The feud dragged on long after Coupland's murder, reaching a violent climax at the beginning of 1387, when a company of malefactors led by Sir Henry de Heton and William de Lilleburn seized Chillingham castle by trickery and imprisoned its owner, Alan de Heton, in one of the towers. Alan was able to get a petition to the king, demanding redress, and Thomas de Saville, a serjeant-at-arms, was dispatched to

<sup>155</sup> Brown, *The Black Douglasses*, pp. 42-3.



Northumberland. Together with the county's escheator, Peter Tilliol, he attempted to deliver writs summoning Henry and William, and their prisoner Alan, to Westminster, where they were to face the king and council; but Henry and William were underwhelmed by this show of authority, and refused to admit Saville or Tilliol to the castle. Therefore, in May, a new commission was issued to the earl of Northumberland, John, Lord Neville of Raby, and Tilliol, ordering them to arrest the malefactors and to bring them to London.<sup>156</sup> This second commission appears to have managed to contain the situation, for there is no record of any further violence, which is perhaps not altogether surprising, for - as we shall see - Northumberland may well have had a hand in instigating the attack. At any rate, at some point, Alan was apparently 'delivered from the hands of Henry and William by his friends'; and by July, Henry had agreed to appear before the council, mainperned by the influential marcher knights Thomas Umfraville, John de Lilleburne and William Heron, under a hefty penalty of £1000. Nevertheless, Henry's aggression evidently paid off, for when he duly appeared before the council and 'submitted himself to the king's will', he was granted a pardon (for a mere twenty pounds), and a writ suspending the proceedings against his followers; and when Alan died in March 1388, the inquest *post mortem* made no mention whatsoever of Chillingham, his most valuable estate. By June, Alan's heirs had given up any chance of recovering the castle, and reached an agreement with Henry allowing him to retain it. His actions were given a retrospective veneer of official licence when the escheator in Northumberland was ordered to give him livery of the disputed castle - and Henry was still in possession at his own death, some twelve years later.<sup>157</sup>

The background of this squabble - as with so many acts of violence in medieval England - lay in a tortuous and protracted dispute over an inheritance. Although such disputes were all too typical of the late-medieval English landowning classes, this one might appear to live down to the traditional picture of fourteenth-century

<sup>156</sup> *CPR 1385-9*, p. 321, 325; *NCH*, xiv, 326-7. The original royal letter patent ordering Percy and Neville to intervene still survives amongst the Swinburne papers (NRO, ZSW 2/24).

<sup>157</sup> *CCR 1385-9*, p. 432, 437-8, 391-2; *CIPM*, xvi, no. 592; *ibid.*, xviii, nos. 4-5. The mistaken assertion that Alan died in March 1387 (*NCH*, xiv, 327) is based on the erroneous dating of his inquest *post mortem* to August 1387, given in *NDD*, p. 211.

Northumberland as a society riven by lawlessness and family feuding. It is therefore worth examining in depth, and it provides an illuminating case study of the extent to which Northumbrian disputes were affected (or not) by the state of warfare which periodically afflicted the county.

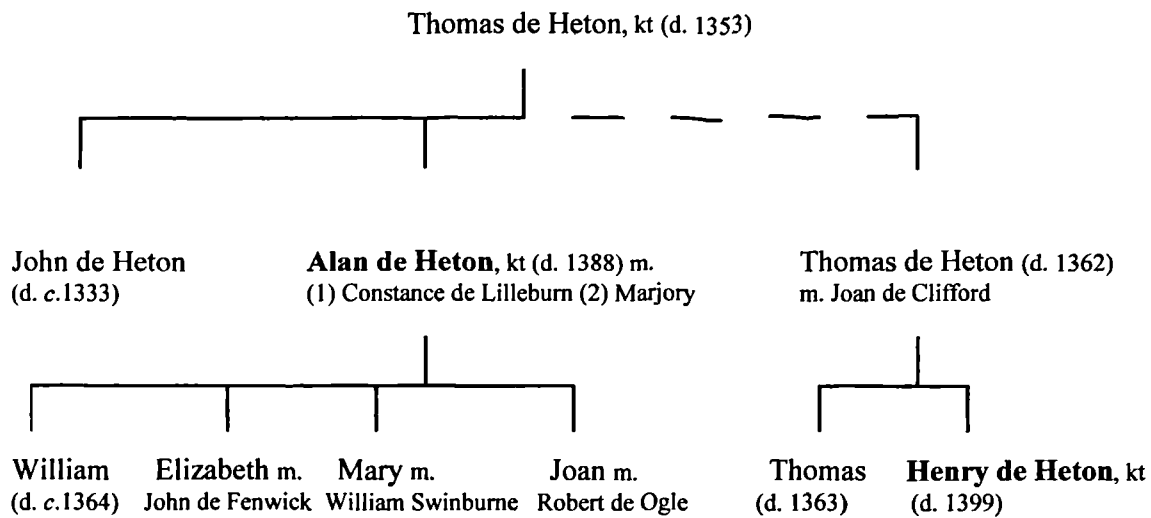
Until 1317, the Heton family had been of no great standing;<sup>158</sup> but in that year, their landed wealth was made, when Thomas de Heton captured Gilbert de Middleton. For his pains, Heton was rewarded with a pension of fifty marks pending the grant of lands to that value from Middleton's escheated estate. Unusually, the grant was put into effect almost immediately, with only a minimum of lobbying on Heton's part, and he thus obtained the manor of Briardene and the town of Hartley, to hold to him and his heirs male.<sup>159</sup> He evidently made the most of his new-found wealth, for at some time before October 1324, the heavily indebted Nicholas de Huntercombe mortgaged the manor of Chillingham to him for 200 marks. In an attempt to redeem this mortgage, Huntercombe then arranged an elaborate marriage settlement between his son John and Constance, daughter of John de Lilleburn. If this marriage ever took place, John de Huntercombe must have died soon afterwards, for Chillingham was never redeemed and passed into Heton's ownership - and Constance subsequently married none other than Thomas de Heton.<sup>160</sup> Heton evidently favoured Chillingham as his residence, for, in January 1344, he obtained a licence to crenellate the existing manor house.<sup>161</sup>

<sup>158</sup> Frederick Walter Dendy, 'The Heton-Fenwick-Denton Line of Descent', *AA*, 3rd ser., xiv (1917), pp. 173-4. As their name might suggest, they originally came Heton in Northamptonshire (*ibid.*). Thomas de Heton appears to have been the first of his family to be knighted.

<sup>159</sup> BL, Harley MS 655, f. 316; *Scalacronica*, pp. 144-5; *CIM* 1307-49, no. 372; *Northumb. Pets*, pp. 139-40; *CPR* 1317-21, pp. 75, 310-11; *NCH*, ix, 112-13. The grant included the reversion of the dower lands held by Middleton's mother, Juliana de Moralee, which took effect in July 1334 (*CPR* 1330-4, p. 565). The timing of the original grant of Middleton's lands, dated 15 February 1319, is somewhat curious, as the letters patent state that it was made 'with the assent of the parliament at York' - which did not meet until 6 May.

<sup>160</sup> *CCR* 1323-7, pp. 316-18; *NDD*, p. 188; *NCH*, xi, 319-20.

<sup>161</sup> *CPR* 1343-5, p. 191. The original licence is still on display at the castle, for the edification of tourists. Heton's choice of location may also have been influenced by the fact that Chillingham lay much nearer to the Scottish border than Hartley - and was therefore more in need of such protection as a castle might offer.

**Figure 3: The Heton Family**

In April 1329 (by which time he had been knighted),<sup>162</sup> Heton entailed his lands on his eldest son John, with remainders to his other children, Alan, Thomas and Isabella. John de Heton promptly died, so in 1336, a new family settlement was devised. However, in the meantime, taking advantage of Edward III's generous mood after his victory at Halidon Hill, Heton had now obtained a re-grant of Middleton's lands in fee simple, which offered much greater scope for disposing of his lands. The chief beneficiary of this greater scope was his younger - and illegitimate - son Thomas, as the Middleton lands and Chillingham were now entailed on him and his heirs; as a consolation prize, Alan was granted his father's lands in Hethpool and Doddington, and half of the manor of Lowick (which had been acquired from Richard de Huntercombe in 1333). Left out of this settlement was John's son, who seems to have been ruthlessly disinherited, for he appears in a chain of remainders only after Isabella, the elder Thomas' daughter; he presumably died soon after, for nothing else is recorded of him.<sup>163</sup> Not surprisingly, Alan was less than happy at being thus

<sup>162</sup> *CDS*, iii, no. 992.

<sup>163</sup> *Feet of Fines, Northumberland, 1273-1346*, Newcastle upon Tyne Record Series xi (1932), nos. 266, 267; *CPR 1330-4*, p. 462; *NCH*, ix, 113, xiv, 102-3. A John de Heton is recorded as an idiot, being committed to the care of John Malet, John de Shellay and William de Heton in 1355 (*CPR 1354-8*, pp. 200-1); however, this is unlikely to have been the son in question, for he became an idiot only 'after

disinherited in favour of his bastard younger brother, and litigation inevitably followed. By the time of Thomas de Heton's death in January 1353, yet another settlement had been arranged, by which Thomas the bastard got Briardene and Hartley, whilst Alan got the rest. This time, the settlement stuck, even though Thomas, acting with indecent haste to make sure of his inheritance, entered his portion without waiting for royal licence.<sup>164</sup> Four years later, in 1357, Alan leased the manors of Chillingham and Ingram to his son William, presumably to hinder any future attempt by Thomas to recover them (though relations between the half-brothers seem to have been reasonably amicable at this time, as Thomas was involved in one of Alan's land deals).<sup>165</sup> And so matters rested until August 1362, when Thomas died. The wardship of his underage son, Thomas, was granted to a syndicate of Northumbrian gentry, including his widow, Joan, Thomas de Clifford (Joan's uncle), and William Heron. This group promptly stirred up trouble again, bringing an action in the name of their ward to recover Chillingham from William de Heton. Unfortunately, the young Thomas died, leaving as his heir his younger brother Henry, whose wardship remained with his mother Joan and her fellows. Faced with the prospect of a further legal challenge, Heton forestalled his adversaries by taking out letters of protection for service with John de Coupland in Roxburgh. Shortly afterwards, Coupland was murdered. Amongst his killers was Thomas de Clifford; and William Heron and Joan de Heton were both imprisoned as aiders and abettors.<sup>166</sup>

completing his twenty-fourth year', by which time, he was already a landowner and married with children - indeed, his relationship (if any) to the Northumbrian Hetons is problematic; conceivably, he was a younger brother of William (nor is the identity of Malet and Shellay clear - neither had any apparent connection with Northumberland).

<sup>164</sup> C 260/63/6, no. 2; *CIPM*, x, no. 113; *CCR 1349-54*, p. 548. Understandably, the Northumbrian jurors at the inquest *post mortem* were not sure who was actually the heir, but the settlements were held to be valid. As Thomas the bastard was in receipt of an annuity of £16 5s 5d from the manor of Chillingham at his death (*CIPM*, xi, no. 341), these settlements were probably reached out of court, with a measure of financial compensation for Thomas.

<sup>165</sup> NRO, ZSW 2/27, 28, 29. William was duly recorded in possession of Chillingham and Ingram when the Northumbrian collectors of the feudal aid of 1346 finally got around to collecting it, in *c.* 1360 (*Feudal Aids, 1284-1431* (6 vols, HMSO, 1899-1920), iv, 71).

<sup>166</sup> Above, pp. 165-71.

With the young Henry de Heton's wards imprisoned, Alan de Heton now seized the opportunity to get hold of the wardship himself, seemingly without any warrant; the wardship was certainly well worth acquiring, for the lands were later recorded as yielding £23 6s 8d (in time of peace), while Henry had not been born until the year of his father's death.<sup>167</sup> Seemingly secure in his occupation of his father's estate, Alan prospered, serving in four parliaments (from January 1365 to April 1379), as keeper of the town of Berwick (May 1364), as a commissioner of array (February 1367, March 1369), as a commissioner of the peace (July 1368) and as a warden of the March (October 1369, February 1372, December 1379).<sup>168</sup> In April 1369, he was even appointed to a commission to investigate, amongst other offences, 'wards, marriages, escheats, forfeitures, lands, and chattels of felons and fugitives, ... pertaining to the King, and concealed or withdrawn from him'.<sup>169</sup> For some reason, the commission appears to have neglected to report Alan's own 'withdrawal' of the wardship of Henry de Heton.

Paradoxically, it may well have been precisely Alan's influence and standing in county society that prompted Henry de Heton to resort to brute force in 1387. Henry had been granted seisin of his father's lands in February 1386, by which time, Alan must have been in his late sixties at least;<sup>170</sup> he had already withdrawn from military and county affairs, and his demise must have seemed increasingly imminent. Alan's son, William, seems to have died early, probably in 1364.<sup>171</sup> Thus, at his death, his

<sup>167</sup> Henry was recorded as being 26 years old in 1388 (*CIPM*, xvi, no. 592). According to an inquest of 1385 (*ibid.*, no. 118, which gives the quoted valuation), Alan had been granted the wardship at the death of the elder Thomas de Heton - which is not correct, although in 1375, he was granted the wardship of Joan's dower in the Heton lands 'until the lawful age of the heir of Thomas' (*CFR 1369-77*, pp. 311-12). There is no surviving record of any other grant, and the fact that the 1385 inquest was needed to establish just who did hold the wardship suggests that Alan may never have bothered to get any official sanction as Henry's ward.

<sup>168</sup> *CPR 1364-7*, p. 431; *CPR 1367-70*, pp. 194, 264; *Rot. Scot.*, i, 883, 935, 948, ii, 20 (oddly, Heton's first appointment as a warden of the marches was in the West March, though he held no property there).

<sup>169</sup> *CPR 1367-70*, p. 264.

<sup>170</sup> *CCR 1385-9*, pp. 49-50. Alan had been old enough to serve against the Scots in 1339 (*CDS*, v, no. 3679).

<sup>171</sup> William was not mentioned in Alan's inquest *post mortem* (*CIPM*, xvi, nos. 592-4), and nothing is

estates stood to be divided between his three daughters, Elizabeth, Mary and Joan, for whom he had procured good marriages to the prominent marchers John de Fenwick, William Swinburne and Robert de Ogle, respectively. Once effected, such a partition would have made Henry's efforts to recover Chillingham vastly more difficult. Alan's appointment to the commission of 1369 had already demonstrated that Henry's grievances were unlikely to be resolved by crown action, whilst in the face of Alan's advanced age, the snail-pace of court action would have made litigation a hopeless prospect for Henry - especially given that, as the son of a bastard, his claim to the family lands was seriously flawed anyway. Henry was thus left with no alternative to force as a means of recovering Chillingham, which he evidently felt was rightly his.<sup>172</sup>

The identities of some of Henry de Heton's accomplices, who included William de Lilleburn, Robert Manners, Thomas Harbottle and John Scriven and his like-named son, suggest that Alan had accrued other enemies as well as influence during his successful career, enemies who now took the opportunity to gain revenge. John Scriven the elder was an erstwhile adherent of Alan's, being named as an accomplice when the latter was accused of the murder of John Muschamp, in 1381. But this relationship may well have been forced on him, for in 1376, his son had granted to Alan a huge annuity of 200 marks from his lands in Ingram (in Coquetdale), with the right of distraint for arrears and a further right to full possession if the arrears were still not met.<sup>173</sup> The Scrivens were not prominent in Northumbrian society and nor was Ingram an especially wealthy township, so there is no reason to suppose that the Scrivens could remotely afford such extravagant generosity. There can be little doubt that Alan (who had acquired the manor by 1347)<sup>174</sup> had coerced Scriven junior into an agreement which - at the least - gave him a powerful hold over the latter; it thus comes as no great surprise to find John Scriven and his father amongst his assailants in 1387.<sup>175</sup> William de Lilleburn was presumably a brother or cousin of Sir John de

heard of him after he joined the garrison of Berwick.

<sup>172</sup> As wardships frequently bred resentment in the ward, Henry may also have been moved by personal antagonism towards his uncle.

<sup>173</sup> KB 27/481, m. 16d.; NRO, ZSW 2/39. Nicholas de Bewick was another named as an accomplice of Alan in the murder of Muschamp in 1381, but who turned against him in 1387.

<sup>174</sup> *NCH*, xiv, 473.

<sup>175</sup> Alan does not appear to have used this agreement to take immediate possession of Scriven's lands,

Lilleburn (a prominent marcher who served as knight of the shire for Northumberland in 1384), and John was the nephew of Constance who had married Alan de Heton in 1346.<sup>176</sup> Amongst the Swinburne papers is a letter (undated, unfortunately) from Robert de Ogle to 'his very dear cousin' William Swinburne, asking him to make his best effort to oppose the malice of Ogle's opponents at a forthcoming court case between Ogle and William de Lilleburn.<sup>177</sup> As both Swinburne and Ogle were sons-in-law of Alan de Heton, it seems likely that they inherited this dispute from their father-in-law, and that it was a continuation of the squabbling which had surrounded Thomas de Heton's acquisition of Chillingham back in 1324.

Alan de Heton died in March 1388, a year after the seizure of his castle; so his death can hardly be considered as 'highly suspicious'.<sup>178</sup> While his imprisonment can have done little to prolong his life, there is no reason to suppose that Henry and his accomplices deliberately brought about his death; after all, if they intended to kill him, why should they have waited twelve months? In fact, Alan's imprisonment cannot have been too rigorous, as he was able to get a petition for redress to the king; his death was probably due to simple old age. Inevitably, the dispute still dragged on, being taken up by his sons-in-law, William de Swinburne and John de Fenwick, who stood to lose their inheritance. They now wrote a letter to Henry Bolingbroke requesting him to dissuade the earl of Northumberland and his son from intervening in their dispute with Henry de Heton.<sup>179</sup> They turned to Bolingbroke because, as they

as he appointed Scriven as his attorney in July 1384, an appointment he would hardly have made *after* dispossessing him ('Local Muniments', ed. William Brown, *AA*, 2nd ser., xxv (1904), p. 70). The Scrivens evidently remained close to Henry de Heton, for one Margaret Scryfwyn was the godmother of Henry's daughter Margaret, in c. 1396 ('Proofs of Age of Heirs to Estates in Northumberland in the Reigns of Henry IV, Henry V and Henry VI', ed. J.C. Hodgson, *AA*, 2nd ser., xxii (1900), p. 120).

<sup>176</sup> See the genealogy of 'Lilburn of Lilburn', *NCH*, xiv, 435-6. John de Lilleburn's father, the brother of Constance, was the William Lilleburn who had been implicated in the killing of John de Coupland; however, he had died in 1371 (*ibid*, p. 435; *CCR 1364-8*, p. 84; Dixon, 'John de Coupland', p. 40). Constance had presumably died by July 1384, by which time Alan was married to a certain Marjory ('Local Muniments', ed. Brown, p. 69).

<sup>177</sup> NRO, ZSW 1/103.

<sup>178</sup> *NCH*, xiv, 327 (and cf. note 157, above).

<sup>179</sup> NRO, ZSW 1/105 (see Appendix 1, no. v); also printed - with errors - in Dendy, 'The Heton-Fenwick-Denton Line', p. 187. Though undated, the letter clearly postdates the death of

pointed out, they were both retainers of his father. It is somewhat curious that Percy was so ready to extend his good lordship to Henry de Heton, for Alan had been prominent amongst Percy's adherents; he was present at the abbot of Alnwick's feast in honour of Percy in 1376, he held a tenement in Alnwick castle, and in 1378, he had helped the earl to recover Berwick castle when it was briefly held by Scottish brigands.<sup>180</sup> Percy's relations with Alan had not always been so cordial however, for in November 1360, he had obtained a commission of oyer and terminer against a gang of malefactors led by Alan, who, from bases at Chillingham and Alnham, had allegedly robbed Percy's goods, assaulted and killed some of his servants, and perpetrated 'many other felonies, trespasses and excesses'.<sup>181</sup> Nevertheless, it was probably more immediate - and Machiavellian - considerations that determined Percy's switch in support. As a retired old man, Alan would no longer have been of any great value as a retainer. More to the point, however, his manor of Chillingham was held of Percy's barony of Alnwick, and was therefore central to Percy's Northumbrian interests; on Alan's death, this manor had stood to pass to his three sons-in-law, and two of them (John de Fenwick and William de Swinburne) were retainers of John of Gaunt.

Percy and Gaunt had notoriously fallen out in 1381, at the height of the Great Revolt, and thereafter, Gaunt had sought to increase his influence in the East March, at Percy's expense. Thus, Percy can hardly have welcomed the prospect of Chillingham passing into his rival's sphere of affinity, even after much of the heat had been taken out of this rivalry by an agreement reached before Gaunt's departure to Spain.<sup>182</sup> There is no direct evidence that Percy actually put Henry de Heton up to his

'monsieur Aleyn de Heton'; as it was addressed to Henry Bolingbroke rather than to his father, it was presumably sent before November 1389, when Gaunt arrived back in England after spending three years on the continent, pursuing his Iberian interests (Anthony Goodman, *John of Gaunt. The Exercise of Princely Power in Fourteenth-Century Europe* (Harlow, 1992), p. 144. The letter is calendared in *ibid.*, p. 382). The sequence of the events which followed suggest that the letter was written soon after Alan's death, perhaps after his inquest *post mortem*.

<sup>180</sup> 'Cronica Monasterij de Alnewyke', *Feudal and Military Antiquities of Northumberland and the Scottish Borders*, ed. C.H. Hartshorne (London, 1858), app., p. vii; *Percy Chart.*, p. 371; Walsingham, *Historia Anglicana*, ed. Riley, i, 388; Tuck, 'The Percies and the Community of Northumberland', p. 186.

<sup>181</sup> *CPR 1358-61*, p. 516.

<sup>182</sup> Percy's determination to keep rivals out of his barony of Alnwick can be judged from the fact that



assault on Chillingham, but he may well have encouraged him; for instance, Henry had been brought up in Alan de Heton's household almost from birth, which begs the question of exactly how he came to know that he had a claim (of sorts) to Chillingham - after all, he is hardly likely to have been told by Alan himself. On the other hand, Percy certainly had access to a detailed record of the affair, as his petition of 1400 demonstrates.<sup>183</sup> Nevertheless, whether he instigated the assault or not, Percy was evidently not displeased at the outcome. When Alan de Heton died on 12 March 1388, the inquest *post mortem* was held, with suspicious rapidity, just a month later, on 15 April; and it was held at Alnwick, right at the centre of Percy's Northumbrian powerbase. He would thus have been well able to ensure that the inquest jury made no reference to the contentious manor of Chillingham - and indeed, Chillingham is conspicuous by its absence from the inquest return. Presumably, Alan had been induced to part with it before his death. The inquest recorded that as Alan had died without a male heir, Henry de Heton was the heir to the manor of Ingram. Alan's daughters (and their husbands) were left with just a moiety of Lowick, and various minor holdings of no great value - most of which were said to be worth nothing anyway, 'because totally devastated and destroyed by the Scots'.<sup>184</sup>

Henry de Heton had now got his hands on the best part of the Heton inheritance; yet, just two months later, on 12 June, a writ of *plenius certiorari* was issued concerning Alan's manor of Ingram, because Henry had 'appeared in Chancery and admitted that he [had] no right or entail therein'. Another inquest was held, this time at Corbridge (another Percy manor), which now revealed that as well as Ingram, Alan had also held the Northumbrian manors of Unthank and Trickleby, as well as several other minor tenements, and to which it now transpired that his daughters were the

when John, Lord Neville, was appointed warden of the East March, in March 1383, he subsequently managed to have the lordships of Alnwick and Warkworth removed from Neville's jurisdiction (*Rot. Scot.*, ii, 49, 54; Tuck, 'Richard II and the Border Magnates', p. 42; Storey, 'Wardens of the Marches', p. 596).

<sup>183</sup> See note 135, above. Of course, even if Percy did encourage Henry to pursue his claim, he may not have expected him to resort to violence.

<sup>184</sup> *CIPM*, xvi, no. 592. Note that as Chillingham was the only significant property that Alan had held of Percy, and as he apparently no longer held it at his death anyway, there is no very obvious reason why the inquest should have been held at Alnwick.

heirs.<sup>185</sup> While most of this property was also said to be worthless due to the attentions of the Scots, the daughters' prospects were greatly increased. But what brought about Henry's sudden change of heart? Perhaps his appearance at the Chancery was prompted by an unwonted fit of conscience, and a sudden desire to right the wrongs which had so recently been done on his behalf; but it is rather more likely that Henry Bolingbroke had answered the petition of his father's retainers, Fenwick and Swinburne, and had brokered a compromise. And fortuitously, the vagaries of national politics had removed the main bone of contention which had led Percy to support Henry in the first place. Since April 1386, the wardenship of the East March had been in the hands of John, Lord Neville, a prominent Lancastrian retainer. However, when his brother Alexander, archbishop of York, was appealed for treason in the Merciless Parliament of February 1388, Neville's position was rendered untenable. With the Scots on the offensive, the Percies were the only realistic candidates for the post, especially as the Appellants could ill afford to antagonise magnates of their stature; and on 12 April, Henry Percy *le filz* duly sealed an indenture leading to his commission as warden on 1 July.<sup>186</sup> With the wardenship of the East March in his son's grasp, and with Henry de Heton securely in possession of Chillingham, the earl of Northumberland could now contemplate the advancement of Gaunt's Northumbrian retainers with equanimity. Thus, the way was clear for arbitration, which presumably led to Henry de Heton's dramatic appearance at the Chancery.<sup>187</sup>

The dispute over Chillingham was undoubtedly a case where violence prevailed, and where the authority of the king was openly flouted; Henry de Heton effectively

<sup>185</sup> *Ibid.*, no. 593.

<sup>186</sup> CDS, iv, no. 377; *Rot. Scot.*, ii, 94; Goodman, 'Introduction', *War and Border Societies*, pp. 13-14; Storey, 'Wardens of the Marches', p. 612. Note that (*contra* Storey, p. 600), Hotspur's appointment predated Neville's death, which unhappy event occurred in October; Neville was presumably believed still to be in good health in August, when he was ordered to remain in the north for the defence of the marches (*CIPM*, xvi, nos. 725ff; *CCR 1385-9*, p. 604; cf Goodman, 'Introduction', p. 14).

<sup>187</sup> As a *quid pro quo*, Fenwick, Swinburne and Ogle also came to Chancery to acknowledge an agreement that Henry should retain Chillingham (*CCR 1385-9*, pp. 391-2). The short time scale suggests that all this was worked out without any formal arbitration arrangement; the combined authority of Percy and Bolingbroke was evidently sufficient to ensure that their settlement could be imposed on the parties concerned.

wrested Chillingham from his aged uncle by shutting him up in the tower of his own castle. Certainly, this can hardly be described as anything but a breakdown of law and order. However, what is perhaps more significant is that this breakdown was isolated. The dispute over the Heton inheritance persisted for half a century, on and off; but for most of this time, the action was confined to the courts. Violence erupted only when the rival claimants became entangled in factional rivalries; first those surrounding John de Coupland, and then Percy's turf war with John of Gaunt. It is notable that in a society which was habituated to constant warfare, the seizure of Chillingham did not give rise to a protracted feud. John de Fenwick, William Swinburne and Robert de Ogle had all been deprived of a considerable part of their respective wives' inheritances by naked armed force - yet, whilst all of them were prominent marchers with long military careers (and William Swinburne, at least, had a history of aggressive self-reliance), none of them seemed to have resorted to armed force in retaliation.<sup>188</sup> Instead, they called on the 'good lordship' of Henry Bolingbroke; and a lasting and reasonably equitable settlement was reached which seems to have been accepted by all the parties. Even Henry de Heton, who had acquired virtually the whole of his uncle's estate by coercion, now acquiesced in an agreement which required him to travel to the Chancery in Westminster to surrender a large part of his ill-gotten gains. Similarly, far from pursuing any vendetta against Henry, Robert de Ogle and John de Fenwick fell to bickering between themselves over their respective wives' shares of a reduced inheritance, for in October 1389, Ogle received a royal pardon for having imprisoned Fenwick and his wife. Presumably as a result of this squabble, a commission was issued in December 1390 for a new extent of Alan de Heton's lands - a commission which included none other than Henry de Heton.<sup>189</sup> It is certainly true that a group of English marchers had attacked an English castle in pursuit of a private grievance, at a time when the marches were facing sustained Scottish aggression; but the timing of the assault on Chillingham had nothing to do with the military situation. If anything, it was influenced more by the acute state of political crisis which afflicted the English crown following the impeachment of

<sup>188</sup> Of course, it is always possible that there were further incidents which have left no record.

<sup>189</sup> *CPR 1388-92*, pp. 123, 442. The commission also included John Manners, probably the elder brother of the Robert Manners who had joined in Henry's attack on Chillingham in 1387 (*Families*, ii, 245-6; and see above, p. 179).

Michael de la Pole. In fact, the main cause of this act of violence was the impatience of the young Henry de Heton to recover lands, which he considered to be rightfully his, before they were split up between heiresses, compounded by the determination of the earl of Northumberland to keep the retainers of John of Gaunt out of his main Northumbrian barony.

The Heton family feud was finally settled by arbitration, as were many other disputes in fourteenth-century Northumberland. This need not however, imply that Northumbrians had resort to arbitration because the crown's legal system could not operate effectively so far from Westminster. In fact, arbitration was a common means of dispute settlement throughout contemporary England, being seen rather as a complement to litigation than an alternative to it.<sup>190</sup> Nor did the arbitration of Northumbrian disputes necessarily take place in isolation from the crown. An interesting demonstration is provided by the altercation which ensued after 30 July 1380, when Alan del Strother went the way of all flesh. Shortly afterwards, his goods and chattels were plundered by William and Robert de Swinburne and Robert Ogle, with scant respect for the dead, in what was clearly a family squabble.<sup>191</sup> They were appealed by his widow, Margaret, and the case was brought before the King's Bench in Easter term, 1381. As was not uncommon in such cases, the accused failed to turn up, though on this occasion, they did have an excuse - for they had been forced by command of the earls of Douglas and Northumberland to appear at the warden's court at Lilliot Cross, on a day of the march held on 16 May.<sup>192</sup> Evidently, this was not an

<sup>190</sup> The theory and practice of arbitration is discussed by E. Powell, 'Arbitration and the Law in England in the Late Middle Ages', *TRHS*, 5th ser., xxxiii (1983).

<sup>191</sup> *CIPM*, xv, no. 419; KB 27/481, m. 31d.; NRO, ZSW 1/107. Swinburne married Mary, the widow of John del Strother, Alan's nephew (*CIPM*, xvi, nos. 592, 594; NRO, ZSW 1/79; *NCH*, ix, 132). John had died by April 1380 (*CFR 1377-83*, p. 205), and the marriage evidently took place soon afterwards. Ogle was William's cousin, and also a brother-in-law, having married Mary's sister (*Commons*, iv, 552). Swinburne was certainly concerned to preserve his wife's rights, for in 1385, he successfully sued to recover lands from Thomas del Strother, John's son and heir, including Mary's dower (NRO, ZSW 1/79)

<sup>192</sup> KB 27/481, m. 31d.; C.J. Neville, 'Keeping the Peace on the Northern Marches in the Later Middle Ages', *EHR* cix (1994), p. 9.

unusual experience for Swinburne, as two letters from the earl of Northumberland still survive, ordering him in no uncertain terms to appear at march days at Kershope Bridge.<sup>193</sup> The King's Bench set a new date for the hearing on 6 September, but there is nothing to suggest that the accused bothered to turn up then either.

By now, it must have been evident to Margaret that she was unlikely to obtain redress in the royal courts, and she turned to arbitration as an alternative. This met with rather more success, for on 7 December, an indenture was sealed between Margaret and Thomas de Blenkinsop of Tynedale on one part, and the earl of Northumberland, Sir Ralph Eure, William de Swinburne and Robert Ogle on the other. This specified that William, Robert and Robert de Swinburne were to restore the stolen goods to Margaret at St Mary Magdalene's Hospital at Newcastle, on 9 February; additionally, William and Robert were to hand over two sacks of wool or ten marks by Midsummer, presumably by way of compensation. To ensure their compliance, William and Robert had been obliged to enter, along with Percy and Eure, into a bond of £300 to Margaret and Thomas, which would stand until the terms of the agreement had been fulfilled.<sup>194</sup> What makes this agreement particularly interesting is that it appears to have been negotiated during the parliament at Westminster which met on 3 November, and was prorogued until January on 13 December. Neither Percy nor Eure were involved in the dispute in any way, but Percy was certainly present at this parliament, where his quarrel with John of Gaunt was temporarily patched-up,<sup>195</sup> whilst Eure had been elected as one of Northumberland's knights of the shire. In fact, Eure may have been acting much as a modern MP addressing a complaint from a constituent, for it seems probable that Margaret had come to London to petition parliament for redress, supported by Blenkinsop, who was married to her step-daughter (and who was aiding his mother-in-law presumably

<sup>193</sup> NRO, ZSW 1/101, 102. The latter threatens Swinburne with distraint of his goods.

<sup>194</sup> ZSW 1/107. It is clear that the agreement was arranged to ensure the compliance of Swinburne and Ogle, for the clause records a pledge that these two would keep faith with it. Percy and Eure entered into the £300 bond as a means of guaranteeing Margaret's redress; they both wielded influence enough to be sure of recouping their losses from Swinburne and Ogle, if either defaulted.

<sup>195</sup> *Rot. Parl.*, iii, 98; *Anonimale Chronicle, 1333-81*, ed. Galbraith, pp. 154-6; Goodman, *John of Gaunt*, pp. 90-1.

because her own son was still a minor).<sup>196</sup> What Swinburne and Ogle were doing in London is less clear, but they may have come down from Northumberland with Percy, who brought an exceptionally large retinue to this parliament due to his squabble with Gaunt; Swinburne certainly served in Percy's military retinue on at least one occasion in the mid-1380s.<sup>197</sup>

Margaret may not actually have put her grievance before parliament - there is no record of such a petition in the surviving parliament rolls - but arbitration was certainly recommended in answer to other parliamentary petitioners. A pertinent example is that of William Heron, who sought redress against the earl of Northumberland at the Westminster parliament of February 1388 (the 'Merciless Parliament'). Heron was aggrieved because the earl had forced him to pay reparations to the Scots, following a private *chevauchée* into Scotland. He further claimed that the earl had acted in bad faith, failing to obtain 'restitution' for the damages Heron had suffered at the hands of the Scots as he had promised, damages which had prompted Heron's raid in the first place; the earl had then imprisoned him, and while he was imprisoned, the earl's men had sacked his castle at Ford.<sup>198</sup> Though the petition does not actually say as much, this dispute clearly arose out of the earl's attempts, as warden of the march, to keep the peace across the borders (such as it was). Parliament evidently still retained its function of receiving petitions for justice, and against a magnate as powerful as the earl of Northumberland, acting as an officer of the crown, it was perhaps the only forum where such complaints could be aired with some chance of being listened to. Parliament responded by appointing 'certaines Sires' to arbitrate between the parties.<sup>199</sup> It has been argued that in this case, arbitration was imposed by

<sup>196</sup> Blenkinsop's wife, confusingly also called Margaret, was the daughter of Alan del Strother by his first wife, Constance; Thomas, the son of Alan and Margaret, and Alan's heir, was aged only fourteen at his father's death in 1380 (*CIPM*, xv, no. 419).

<sup>197</sup> BL, Cotton Roll XIII 8. Although Swinburne subsequently became a retainer of Gaunt (*NDD*, p. 210), there is no evidence of an any association between the two at this date.

<sup>198</sup> *Rot. Parl.*, iii, 255-6; *NCH*, xi, 379-80.

<sup>199</sup> Carole Rawcliffe, 'Parliament and the Settlement of Disputes by Arbitration in the Later Middle Ages', *Parliamentary History* ix (1990), p. 326. On the continuance of private petitioning in parliament in the late fourteenth-century, see G. Dodd, 'The Hidden Presence: Parliament and the Private Petition in the Fourteenth Century', *Expectations of the Law in the Middle Ages*, ed. A. Musson - forthcoming (I

the crown as a means of brushing Heron's complaint under the carpet, for Richard was under attack from the Appellants at the time and could not afford to antagonise Percy.<sup>200</sup> Whilst such political considerations may have some influence, there is no reason to doubt that arbitration was seen as a valid and legitimate means of obtaining redress for Heron, and indeed, for Margaret del Strother and for many other Northumbrians. It was certainly not regarded as anything out of the ordinary. In 1423, an inquisition was held at Newcastle to establish the age of John Mitford, heir to the deceased William Mitford. The witnesses stated that John had been baptised at St. Nicholas' Church, Newcastle, in April 1402. John Colman claimed to be able to remember the baptism because he had seen John's godfather, Sir John Widdrington, giving his godson a silver cup; John Fox remembered selling an expensive fur to John's grandfather, Sir Robert Lisle, which had been used to wrap the young John to keep him warm on the way to the church; but John Brown had written evidence, for Widdrington and Lisle had used the occasion to settle a quarrel, 'treating together in the said church for agreement concerning matters in dispute between them, of which agreement an indenture was made, dated the same day, and was delivered to him [*i.e.*, Brown] to keep, and yet remains in his keeping'.<sup>201</sup> However, the ubiquity of arbitration should not be taken as a sign of the failure of royal justice in Northumberland. Given that litigation in the royal courts was a glacially slow and ruinously expensive business (especially when it entailed travelling down to Westminster), with no guarantee of a satisfactory outcome, arbitration simply offered a quicker and cheaper means of settling disputes.

## War and Disorder in Northumberland

would to thank Gwil Dodd for advice on the Strother case).

<sup>200</sup> Neville, *Violence, Custom and Law*, p. 87.

<sup>201</sup> 'Proofs of Age in the Reigns of Henry IV, Henry V and Henry VI', ed. Hodgson, p. 123. For similar examples of late fourteenth-century arbitrations recalled by witnesses at other inquisitions, see *ibid.*, pp. 121, 122.

‘Men of þe souþ beþ esier and more mylde; and men of þe north be more vnstable, more cruel and more vnesy’.<sup>202</sup> Written in the 1380s, the Cornishman John Trevisa’s translation of the *Polychronicon* provides an early example of a historiographical tradition, portraying northern England as inherently more disorderly than the south. This tradition has proved remarkably enduring; Trevisa’s sentiments could more-or-less stand as a summary of the modern historiographical orthodoxy concerning the prevalence of crime in fourteenth-century Northumberland. In the opinion of one eminent historian of the troubled reign of Edward II:

Lawlessness in the north appears always to have been on a much wider scale than in the south, and family feuds developed easily and were long-lasting ... Primitive ties of kinship were stronger than in the south, and resort to the sword more natural.<sup>203</sup>

Nor is such lawlessness considered to have been restricted merely to periods of political instability or war; the Marches have been characterised as virtually ungovernable at the best of times:

Even in times of peace, the border regions were hard to govern: a distressing combination of bad communications, disease, agricultural poverty and widespread disorder made it virtually impossible to maintain even a semblance of law and order.<sup>204</sup>

More succinctly, Northumberland in the early fifteenth-century has been described as ‘without doubt the most lawless part of England’.<sup>205</sup> There were some contemporary English wrongdoers who would have agreed with this assessment, evidently perceiving the northern marches as a lawless region where they could put themselves beyond the reach of royal justice - and with some justification. When, at Easter 1347, Sir John Dalton kidnapped the wealthy widow, Margery de la Beche, from Beams in Wiltshire, he incurred the great wrath of Edward III, for the king’s son, Lionel, was

<sup>202</sup> *Polychronicon*, ed. Babington & Lumby, ii, 167. Higden’s original reads: ‘Gens tamen australis quietior et mitior, borealis vero mobilior et ferocior’ (*ibid.*, ii, 166). Not wishing to ignore the Midlands, Higden continues: ‘gens media participii vicem tenet’, translated by Trevisa as: ‘þe myddel men beþ somdele partyners wiþ boþe’.

<sup>203</sup> Maddicott, *Thomas of Lancaster*, pp. 176-7.

<sup>204</sup> Rawcliffe, ‘Parliament and the Settlement of Disputes by Arbitration’, p. 327. Cf the same author’s similar comments on Northumberland (*Commons*, i, 541), where she adds that these problems were aggravated by ‘the virtually unassailable power of the local magnates, whose interests were often served by the encouragement of incessant feuding’.

<sup>205</sup> R.L. Storey, *Thomas Langley and the Bishopric of Durham, 1406-37* (London, 1961), p. 140.



staying at the manor at the time. Great efforts were made to arrest Dalton and his confederates, so they fled to the Northumbrian marches, where they were said to be 'drawing to themselves diverse malefactors and perpetrating many evils'. Commissions to arrest the felons were issued to Henry Percy and Ralph Neville, Thomas de Rokeby and Robert de Ogle, and William Heron and John de Coupland, all men of great standing in marcher society; but they were never taken, and the main culprits were eventually able to obtain pardons for their misdemeanours.<sup>206</sup>

The Northumbrians themselves were all too aware that there was, indeed, a problem. In 1319, the 'poures gentz de Northumbreland' complained to the king's Council that no assizes had been held in the county for ten years, 'por ceo qe les Justices ne oseint venir la pur la guerre' (because the justices fear to come because of the war).<sup>207</sup> But was such lawlessness a direct result of the Scottish wars? One area where warfare undoubtedly did hinder the maintenance of law and order was in the ease with which it was possible to evade legal judgement through military service. Edward I had first hit upon the scheme of granting pardons to criminals in return for agreeing to serve in his armies, as a means of recruiting men for his controversial Gascon campaign of 1294; and his successors had increasing resort to the same methods.<sup>208</sup> In most parts of the country, such pardons at least had the effect of removing troublemakers from a region for a long period - and indeed, many Northumbrian criminals were obliged to serve on the Continent to obtain pardons for their crimes. In 1324, John son of Thomas de Heton was pardoned for killing Adam and John de Roddam on condition that he served in Gascony; in the event, he was excused from doing so, 'as it appears that he was too infirm to go'. Others did not escape so lightly; the murderer Henry Dawson of Eshot, the jailbreaker John Forster of Newbrough, and the horsethief and kidnapper John de Stockhaugh were pardoned only after they had rendered good service in France with John of Gaunt in 1360.<sup>209</sup> However, given the constant need to defend the Marches, others did not have to travel

<sup>206</sup> CPR 1345-8, pp. 319-20. The affair is discussed by J.G. Bellamy, *Crime and Public Order in England in the Later Middle Ages* (London, 1973), pp. 58-9.

<sup>207</sup> *Northumb. Pets*, pp. 115-6.

<sup>208</sup> The practice and effect of such pardons is examined in depth by Naomi D. Hurnard, *The King's Pardon for Homicide before 1307* (Oxford, 1969), pp. 247-50, 311-26.

<sup>209</sup> CPR 1324-27, p. 149; CPR 1358-61, pp. 374, 381.

nearly so far to earn their remission, as contemporaries well recognised; thus, the *Scalacronica* relates that Robert de Neville began to serve in the king's war only in order to obtain a royal pardon for his murder of Richard fitz Marmaduke, in December 1318 - though in the event, this brought him little benefit, for he was killed in a skirmish near Berwick soon afterwards.<sup>210</sup> After Neville's Cross, the eminent Northumbrians Robert Bertam, John de Coupland and Henry del Strother all received blanket pardons 'for all homicides, felonies, robberies, larcenies ... and trepasses', whilst Robert Delaval was pardoned specifically for the death of Robert de Seton.<sup>211</sup>

On another level, military service offered an opportunity to evade legal action, through letters of protection. For instance, when John de Lilleburn obtained letters of protection to serve in the retinue of Henry Percy, on 10 July 1327, it seems unlikely to be mere coincidence that the sheriff of Northumberland had just been ordered to distrain his lands for failing to appear to answer charges of armed robbery before the King's Bench at York.<sup>212</sup> Six months later, Lilleburn was himself appointed sheriff, which rather reduced the urgency for obtaining such letters. As he led an active military career, it is entirely probable that Lilleburn did actually fight for Percy, from whom he held his lands. Others were less conscientious. In November 1365, William de Acton obtained a commission of oyer and terminer against John de Fenwick, whom he accused of rustling 200 sheep from Shilvington, near Morpeth. In the following March, Fenwick took out letters of protection, claiming to be serving in the garrison of Berwick with Alan de Heton, thus bringing proceedings against him to a halt. Unfortunately for Fenwick, he was rumbled, and in May, his protection was revoked and the justices ordered to proceed with the plea, 'because John is not on the king's service save by times, but is attending to other business at his own pleasure, and only obtained the protection fraudulently to debar others from actions which they have against him, to the scandal of the king and deception of his court, as the king has learned by credible witness'.<sup>213</sup> In many other cases, where no 'credible witness' was

<sup>210</sup> *Scalacronica*, pp. 143-4. The murder is discussed by H.S. Offler, 'Murder on the Framwellgate Bridge', *AA*, 5th ser., xvi (1988).

<sup>211</sup> *CPR 1345-8*, pp. 515-16.

<sup>212</sup> *CPR 1327-30*, p. 136; KB 27/269, m. 17d. If Lilleburn had already been in Percy's service on the day of hearing, he would presumably have taken out letters of protection in anticipation of this.

<sup>213</sup> *CPR 1364-7*, p. 205; *CDS*, v, no. 3960; *CCR 1364-8*, p. 224. John was not the only member of his

forthcoming, such fraud must have been rather more successful. Similar abuses were not uncommon in other parts of the country;<sup>214</sup> nevertheless, it would have been much easier to arrange in Northumberland, where anybody of any standing would have had a relative or associate who would have been able to obtain letters of protection for them; for that matter, as the case of John de Fenwick illustrates, it was hardly very much trouble to turn up for service at a garrison such as Berwick, a day's ride or less from home, obtain letters of protection, and then desert.

In fact, the majority of men who served in the king's armies did not trouble themselves to go to Chancery to collect letters of protection, or, more commonly, never bothered to request them in the first place. Clearly, such legal protection was only required by those who actually held their own lands (thus excluding many whose fathers were still alive, and the majority of brothers and younger sons), and even landowners might not go to the trouble and expense of obtaining protections if their lands were not facing any obvious legal challenge.<sup>215</sup> For Northumbrians in particular, however, service in the Marches or over the border in Scotland obviously did not remove them from contact with home; if any rivals did attempt to mount a legal challenge in their absence, they would soon get to hear of it. There was therefore less need to take out a protection, unless such a challenge was anticipated. Indeed throughout England, the proportion of men who bothered to obtain letters of protection when serving in Scotland was markedly lower than for service overseas.<sup>216</sup>

Fourteenth-century Northumberland was undoubtedly not an orderly and law-abiding society. Nevertheless, the extent of lawlessness must be kept in perspective. In 1315, when John de Lilleburn and his accomplices decided to avenge themselves on the

family to be suspected of such fraud; in October 1341, Alan de Fenwick obtained letters of protection for service in Roxburgh castle in the company of William de Felton, its keeper, 'to be invalid if Alan should return from that castle meanwhile'. Sure enough, Alan's name is not to be found amongst the men listed as serving in garrison in Felton's accounts for 1341-2 (*CDS*, v, no. 3732; E 101/22/40).

<sup>214</sup> Ayton, *Knights and Warhorses*, pp. 157-9; Philip Morgan, *War and Society in Medieval Cheshire, 1277-1403*, Chetham Society, 3rd ser., xxxiv (1987), p. 152.

<sup>215</sup> Ayton, *Knights and Warhorses*, pp. 159-63.

<sup>216</sup> *Ibid.*, pp. 159-60.

royal justice, Colle de Derby, for the hanging of the suspected traitor John de Apsley, they had resort to violence - and nearly managed to kill him. However, it is interesting to note that they also took the trouble to suborn Apsley's widow to appeal Colle before the coroner and sheriff of Northumberland for her husband's death.<sup>217</sup> In the mid-fourteenth century, William Heron complained to the king and council that, following a dispute between them, Robert de Ogle had purchased a commission of oyer and terminer against him, and that Robert was so powerful that the men of the county would not dare to tell the truth in the matter, for fear of him and his allies.<sup>218</sup> Incidents such as these hardly suggest an enormous respect for the mechanisms of law enforcement amongst Northumbrian landowners; but at the least, they do indicate that these mechanisms remained strong enough in Northumberland to be worth the effort of subverting. Certainly, they were strong enough that Gilbert de Middleton was captured by Northumbrian men in crown pay, taken to London at crown expense, and dispatched with what then passed for due legal process.<sup>219</sup> Likewise, the *schavaldours* were a cause of disorder in Northumberland, not a product of it. It was not the case that Northumbrian brigands were recruited into Edward II's household; rather, they behaved as brigands *because* they had been recruited into the household. Nor should the lawlessness of the *schavaldours* be exaggerated. The career of the *schavaldour* Elias the clerk hardly compares with that of the notorious Arnaud de Cervole, the 'Archpriest', a defrocked clergyman who terrorised Saintonge in the 1350s at the head of a genuine free company. Nor did Thomas de Fishburn's small band provide a model for the Great Company which ravaged and plundered its way across France after the Treaty of Brétigny.<sup>220</sup>

That Margaret del Strother was prepared to spend a week or more travelling down to London, to petition in parliament for remedy against two powerful marcher knights,

<sup>217</sup> SC 1/33/32.

<sup>218</sup> 'Les gentz du ditz pais ne seront oseez par poure du dite Robert et de ces ditez alliez a dire la veritee', SC 8/186/9258; R. Kaeuper, 'Law and Order in Fourteenth-Century England: The Evidence of Special Commissions of Oyer and Terminer', *Speculum* liv (1979), p. 763.

<sup>219</sup> Society of Antiquaries, MS 121, f. 19; *Select Cases in King's Bench, Edward II*, ed. Sayles, p. 78.

<sup>220</sup> Kenneth Fowler, *Medieval Mercenaries. I: The Great Companies* (Oxford, 2001), *passim*; Michael Jones, 'War and Fourteenth-Century France', *Arms, Armies and Fortifications in the Hundred Years War*, ed. Anne Curry & Michael Hughes (Woodbridge, 1994), pp. 106-10.

suggests that she believed that the crown had sufficient authority in Northumberland to put some form of remedy into effect. As it turned out, her grievance was met by an arbitration agreement to be implemented by Henry Percy. As the feud touched nobody from outside of the county in the slightest, it would, of course, have been entirely possible to reach such a settlement back home in Northumberland. That the settlement was brokered whilst all the parties were at London during a parliament is therefore a telling indication of the pervasive influence of central government on Northumbrian affairs. Whether the terms of the agreement were ever actually implemented, and whether Margaret ever actually received the reparation due her from Swinburne and Ogle, is not known; but, at the very least, Swinburne was concerned enough to bother to preserve his copy of the indenture. And if Thomas Walsingham is to be believed, the Northumbrians did retain a healthy respect for the authority of the crown. He reports that the depredations of John of Gaunt's troops during his 1380 expedition to the Marches had so infuriated the men of the county that they wished to retaliate; but they refrained from doing so, 'from reverence for home and country, *and from fear of the law*'.<sup>221</sup>

Northumbrians such as Lilleburn and Ogle were not operating entirely outside of the law; they clearly regarded armed force as a complement to legal process rather than an alternative. John de Coupland's enemies only resorted to murder after all legal channels for redress had been tried. For all that they might try to turn royal administration to their own advantage, the Northumbrian gentry, in common with the gentry of the whole country, evidently had an ingrained habit of obedience to that administration, and a certain reluctance to disturb the king's peace. The crown's maintenance of law and order in fourteenth-century Northumberland was not overly effective - but on the whole, it was not perhaps markedly more ineffective than elsewhere in England at the time. For the five years after Bannockburn, the activities of the *schavaldours* did lead to a partial breakdown of order in the county; however, these problems stemmed perhaps as much from the political difficulties of Edward II as from the impact of Scottish raiding. During most of the rest of the fourteenth century, the Scottish wars did not bring about any fundamental collapse of the rule of

<sup>221</sup> '... Reverentia cognitionis et patrie, necnon metu legum', *Historia Anglicana*, ed. Riley, i, 446-7 (my emphasis).

law and order. Instead, it was in the early fifteenth century that this collapse occurred, as the full-scale Anglo-Scottish warfare of the previous century dwindled to a state of ill-kept armed truce, punctuated by raids and counter-raids. Following the failure of his campaign of August 1401, Henry IV's political and financial problems precluded any further Scottish adventures. The Scots themselves were likewise hampered by political instability, compounded by the devastating English victory at Humbleton Hill, September 1402, and the captivity in England of the young James I (captured in March 1406) prevented any large scale Scottish incursion to take advantage of English passivity. Unfortunately, Henry IV's attitude to the Scots remained bellicose - if only in rhetoric - and he was unwilling to make the diplomatic effort necessary to maintain the system of March law; and with the forfeiture of the Percies, there was no one left on the English borders with enough authority and experience to make the system work anyway. This left a permanent state of low-level cross-border hostility which served to undermine the maintenance of order in Northumberland, as uncontrolled cross-border raiding spilled over into uncontrolled internal feuding.

A telling indication of the increasing level of lawlessness is provided by an indenture of September 1407, by which the widow of John de Dalton leased various properties around Hexham to William Ellison for life, at a rent of five marks *per annum*. The agreement included a clause which made allowance in case any of the properties were destroyed by the Scots, but also in case William was prevented from taking his profit by 'any other lieges of the lord king whatsoever'.<sup>222</sup> Leaving aside the implication that the Scots should be numbered amongst the 'lieges of the lord king', this suggests a serious loss of confidence in the ability of the crown to control the situation, for whilst there are plenty of surviving fourteenth-century lease agreements from Northumberland which make provision for the attentions of the Scots, rather fewer make any provision for damage by the English.<sup>223</sup> This loss of confidence was by no means unjustified, as Northumberland faced a virtual breakdown of order,

<sup>222</sup> 'Et si contingat predicta terras tenementa uel aliquam parcellam eorundem destrui per Scotos siue dictum Willelmum esse impeditum *per quoscumque alios ligeos domini regis* de profitus suo inde capiendi quod tunc debita allocatio fiet dicto Willelmo de firma predicta', NRO, ZMI B1/VII/2 (my emphasis).

<sup>223</sup> Walter de Goswick's lease of land from Durham Priory in the troubled days of November 1313 (above, p. 133) is the only other example I've come across.

reflected in an unprecedented degree of concern in parliament. At the parliament of 1411, for instance, ‘les poveres comunaltees ... del counte de Northumbr’ complained that ‘ils sount enpoverez et anientisez, et ascuns destruitz de lour biens et chateux, par commune larcyne, et orible larouns et leur maintenours deins mesme le counte’. Typical of the disturbances which gave rise to such lamentation was the violent feud between the brothers Robert Ogle and John Bertram over Bothal Castle in 1410, which rapidly escalated into an armed siege, involving 200 Scots brought across the border specially.<sup>224</sup> This was just the sort of dispute which, like the Heton family dispute over Chillingham, could have been settled by arbitration, before it reached such a dangerous level of violence. However, the process of arbitration required powerful brokers to lend their authority and dignity to the proceedings, and to guarantee the settlement (as had Henry Percy and Ralph de Eure in Margaret del Strother’s case); but in the absence of the Percies, there was nobody of sufficient standing to fulfil this role. And by this time, Henry IV had long since lost any interest in the Marches. Northumberland’s notorious problems of lawlessness were not so much the result of the outright wars of the fourteenth century; rather, they stemmed from the fragile and troubled half-peace of the two centuries following, conditions which eventually gave rise to the bandit culture of the border reivers. However, whilst the border reivers of the Tudor period gained a lasting national notoriety, this was not matched by their fourteenth-century counterparts. The *shavaldours* failed to attract the same renown as contemporary bandits such as the Folvilles: the moralist William Langland referred to the proverbial ‘Folville’s law’, and not ‘Middleton’s law’, or ‘Clifford’s law’. And ‘Robin Hood in Barnsdale stood’ - not in Tynedale.<sup>225</sup>

<sup>224</sup> *Rot. Parl.*, iii, 629-30, 662; *Commons*, i, 541; Storey, *Thomas Langley*, pp. 140-3; Neville, *Violence, Custom and Law*, pp. 102-9; Macdonald, *Border Bloodshed*, pp. 231-5; Christopher Allmand, *Henry V* (London, 1992), pp. 311-12.

<sup>225</sup> William Langland, *Piers Plowman: An Edition of the C-text*, ed. D. Pearsall (2nd edn, Exeter, 1994), passus XXI, ll. 245-7. For the geographical setting of the earliest Robin Hood tales, see R.B. Dobson & J. Taylor, ‘The Medieval Origins of the Robin Hood Legend: A Reassessment’, *NH* vii (1972), pp. 10-20; J.C. Holt, *Robin Hood* (2nd edn, London, 1989), pp. 83-108.

## STRUCTURES OF POWER

### Magnate Affinities and Northumbrian Political Society<sup>1</sup>

The last decade of the reign of Edward I was one of enormous upheaval for the political society of Northumberland, as many of the county's leading magnates were removed by forfeiture or natural causes; or - in the case of such as the Claverings and Huntercombes - by financial difficulties. Some continuity was provided by the Umfravilles, who had held the barony of Prudhoe and the liberty of Redesdale since the end of the eleventh century and who remained in the English allegiance despite their having acquired the Scottish earldom of Angus in the mid-thirteenth century. Robert de Umfraville, who succeeded his father in October 1307, played his part in the county administration, and fought assiduously against the Scots. He was no more ineffectual than most of the other English commanders in the north, and was eventually appointed as warden of the March in September 1319.<sup>2</sup> However, the Umfravilles had never been of any great prominence in national politics and their Scottish title rapidly became worthless as English power in Scotland evaporated, whilst geography rendered their Northumbrian lands especially vulnerable to Scottish invasion. Redesdale was virtually overrun after Bannockburn, and the Umfraville castle at Harbottle, the *caput* of the liberty, was first captured by the Scots, and then demolished by the English (under the terms of the truce of December 1319). On top of all this, Robert was further encumbered by the survival of his mother, Elizabeth, whose dower lands further reduced his available wealth.<sup>3</sup> As a result, although Robert

<sup>1</sup> This section would once have been called 'Bastard Feudalism and Northumbrian Political Society'; but now that the concept of 'Feudalism' has been killed off by Elizabeth Brown and Susan Reynolds, its illegitimate offspring has surely fallen from grace.

<sup>2</sup> *NCH*, xii, 98-100; and above, p. 83.

<sup>3</sup> *CPR 1317-21*, p. 416; McNamee, *Wars of the Bruces*, pp. 141-2. By 1336, Harbottle castle was so ruinous that it could not even be used as a prison for the common criminals of Redesdale (*Northumb. Pets*, pp. 124-5; *CPR 1334-8*, p. 238). Elizabeth de Umfraville outlived her son, dying in late 1328



was able to recruit numbers of Northumbrians to serve with him, including his prominent tenants, the Burghdons and the Lises, he did not wield as much influence in Northumbrian affairs as might be expected.

In the absence of any viable alternative, this left Thomas, earl of Lancaster, as the most powerful magnate in Northumberland during the critical years of Edward II's ill-fated reign. Lancastrian involvement in the county stemmed from the barony of Embleton. This had originally been acquired by Simon de Montfort in 1255, from a family of impeccably Northumbrian descent, by means of an exchange of lands (an exchange in which, typically, de Montfort got much the better deal). He went to some trouble to develop Embleton, purchasing various isolated tenements in the neighbourhood, and acquiring the grant of a market and fair, as well as a licence to empark a wood at Shipley.<sup>4</sup> Following de Montfort's demise at Evesham, and the consequent forfeiture of his lands, Embleton was granted to the king's younger son, Edmund, earl of Lancaster, in April 1269.<sup>5</sup> Thomas of Lancaster, Edmund's son, inherited Embleton on the former's death in 1296; but until the building of Dunstanburgh castle, in May 1313, the only interest he showed in his Northumbrian lands was in obtaining a grant of free warren on his demesne at Stamford, in February 1306.<sup>6</sup> Certainly, he appears to have made little effort to build up any power base amongst the Northumbrian gentry. At one time or another, he did retain some very prominent Northumbrian magnates, including John de Clavering (retained 'en pees et Guerre' at 100 marks a year, and who served on one occasion with 20 men-at-arms); and Robert de Umfraville (who received a similar fee for similar service).<sup>7</sup> Both of

(*CFR* 1327-37, p. 109; *CIPM*, vii, no. 208).

<sup>4</sup> *Feet of Fines, Northumberland and Durham*, Newcastle upon Tyne Record Series x (1931), no. 238; *NCH*, ii, 16-18; Maddicott, *Simon de Montfort*, pp. 54-5, 142-3.

<sup>5</sup> *NCH*, ii, 19.

<sup>6</sup> *Calendar of Charter Rolls 1300-26*, p. 66 (on the same occasion, he was also granted a weekly market at Wirksworth, Derbyshire).

<sup>7</sup> G.A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957), pp. 136, 141-2, printing records seized by the crown after Lancaster's execution in 1322 (for the circumstances, see R. Somerville, *History of the Duchy of Lancaster* (2 vols, London, 1953-70), i, 29. Note that David de Strathbogie, earl of Atholl, who was retained by Lancaster (Holmes, *Estates of the Higher Nobility*, p. 141), inherited all his Northumbrian estates from Aymer de Valence in 1324, and therefore had no Northumbrian lands during Lancaster's lifetime (compare *CIPM*, vi, no. 759 with

them had been associated with the 1312 campaign against Gaveston, but they were neither close, nor long-term, adherents. Rather more closely associated with the earl were his Northumbrian retainers, Sir John de Eure, Sir John de Lilleburn and Sir Odinel Heron. Eure was retained by the earl for life in December 1317, for a fee of forty marks *per annum*.<sup>8</sup> Lilleburn was in receipt of a rent of twenty marks, and served the earl in a variety of capacities; Heron received an annuity of ten pounds, and he appears at Pontefract in August 1320, in the company of several prominent Lancastrian retainers, as a witness to a deed of Sir Robert Holand granting lands in Durham to earl Thomas.<sup>9</sup> All three were pardoned as adherents of the earl in November 1318, under the terms of the 'Treaty of Leake'.<sup>10</sup>

However, both Eure and Lilleburn appear to have been retained only after they had already rebelled against the king. Eure was implicated in Gilbert de Middleton's robbery of the cardinals in September 1317. And it was only after this that Eure was retained by Lancaster, at Christmas.<sup>11</sup> But it should also be noted that Eure held lands in North Yorkshire as well as Northumberland, and had been a prominent figure in the royal administration there, having served as sheriff in 1310-11, tax assessor and escheator north of the Trent.<sup>12</sup> Whatever his attitude to Northumberland, Lancaster undoubtedly was interested in building up a regional hegemony in Yorkshire; he would thus have valued Eure more for his Yorkshire connections. John de Lilleburn, on the other hand, held lands only in Northumberland. He had been pardoned in 1313 as one of those who had fought in the campaign that led to the killing of Piers Gaveston, but had then been recruited into the king's household.<sup>13</sup> Again, he seems to have had

*ibid.*, no. 518, p. 323).

<sup>8</sup> Eure's indenture with the earl survives as a seventeenth-century transcript, printed in 'Private Indentures for Life Service', ed. Jones & Walker, no. 27.

<sup>9</sup> Holmes, *Estates of the Higher Nobility*, p. 142; *NDD*, p. 287; and see below note 19. Lilleburn's rent and Heron's annuity were drawn on the earl's Northumbrian manors of Shipley and Stamford respectively.

<sup>10</sup> *CPR 1317-21*, pp. 231, 234.

<sup>11</sup> Eure's indenture with the earl is dated 29 December 1317.

<sup>12</sup> *CPR 1307-13*, p. 521. Eure had also served as knight of the shire for Northumberland in the parliament of October 1307.

<sup>13</sup> *CPR 1313-17*, p. 25; E 101/377/1.

his own reasons for rebelling against Edward; certainly, his attempt to murder Colle de Derby suggests a degree of disaffection with the king's governance.<sup>14</sup> Another of those involved in this attack was the minor Northumbrian landowner John de Roddam, who also subsequently became an adherent of Lancaster;<sup>15</sup> but Roddam was a follower of Lilleburn's, and simply followed Lilleburn into Lancaster's camp. Odinel Heron does not appear to have had any particular grudges against the king; however, as the son of a youngest son, with plenty of cousins<sup>16</sup> - and therefore few prospects of inheriting any wealth - his adherence to the earl may simply have been opportunistic, motivated by financial necessity rather than political disaffection. Amongst Lancaster's other Northumbrian adherents was Sir Roger Mauduit, who does not appear to have been a retainer of the earl, but who is recorded on the 'Boroughbridge Roll' as amongst those who fought there against the king. Like Eure, Mauduit had also joined in Middleton's rebellion; and again like Eure, he had his own complaints against the king, principally regarding the ransoms of his Scottish prisoners who had been appropriated by fellow Northumbrians of the royal household.<sup>17</sup>

None of these men had any tenurial link with the earl; most of them had their own grudges against the king, and their adherence to Lancaster was primarily a marriage of mutual political convenience, directed against Edward II, rather than being based on any local Lancastrian affinity. Indeed, Lancaster seems to have felt little need to provide local patronage for the Northumbrian gentry. He did employ William Galoun, a middling Northumbrian landowner, as his bailiff and receiver at Embleton, rewarding him with various grants of land in the barony; he also made use of the services of Edmund de Craster, one of his local tenants; and he employed Gilbert de Halton as a clerk (presumably, one of the Haltons of Halton, a Northumbrian family of some standing, albeit declining).<sup>18</sup> However, in March 1319, Galoun was replaced as

<sup>14</sup> Above, p. 133-4.

<sup>15</sup> He was amongst those pardoned as adherents of the earl in November 1318, along with William de Rodom - and one Ralph de Lilleburn (*CPR 1317-21*, p. 233).

<sup>16</sup> Odinel was presumably a son of the Odinel Heron (the youngest son of William Heron, lord of Ford) who died in 1312 (*NCH*, xi, 378).

<sup>17</sup> *Parl. Writs*, II, ii, app., p. 201; above, p. 134-5.

<sup>18</sup> DL 29/1/3, m. 2, 2d; *CIPM*, vi, no. 485; Somerville, *Duchy of Lancaster*, i, 350; Holmes, *Estates*

keeper of Dunstanburgh castle by Robert de Binchester, a retainer whom Thomas had inherited from his father-in-law, the earl of Lincoln; and in the following year, Galoun's remaining offices were granted to the Yorkshire knight Bogo Bayouse.<sup>19</sup> Neither Binchester nor Bayouse seem to have had any previous Northumbrian connection whatsoever. Even those Northumbrians who were retained by Lancaster were not employed by him within the county. In September 1317, John de Lilleburn, for instance, was engaged in seizing the Yorkshire castle of Knaresborough, which was in the custody of the earl's bitter enemy, the royal favourite Roger Damory; and from Michaelmas 1319, Lilleburn was acting as constable of Holt castle, in Denbighshire, which Lancaster had recently seized from earl Warenne.<sup>20</sup>

In October 1316, Lancaster did attempt to influence the election of the bishop of Durham, putting forward John Kynardsey, one of his household clerks, as a candidate, promising that if elected, Kynardsey would be as 'a shield for the bishopric against the Scots'. This has been taken as evidence of his particular interest in the North East; but despite Lancaster's fine words, this was more likely just a typical exercise of mutually beneficial good-lordship, intended rather to secure a wealthy and influential bishopric for a dependent clerk, than to improve the security of the realm.<sup>21</sup> In the event, Queen Isabella exerted her influence more successfully to have her relative Louis de Beaumont provided, only for him to be abducted by Gilbert de Middleton. Lancaster has been suspected of complicity in the affair - at least, by modern historians.<sup>22</sup> But there is no real evidence of this, and his efforts at mediation were probably just a ham-fisted attempt to make political capital out of the scandal, rather than stemming

*of the Higher Nobility*, p. 136; *NCH*, ii, 57. Galoun was granted properties in the vill of Embleton and Dunstan, in 1315; Craster was given some (very) minor properties in Yorkshire; Halton was intruded into the living of Embleton church.

<sup>19</sup> DL 25/3392; *CPR 1301-7*, p. 388; Yorkshire Archaeological Society, MS Grantley DD 53/III/489; Maddicott, *Thomas of Lancaster*, pp. 20, 55. Lancaster's grant to Galoun of lands in Warenford, in 1319 (Somerville, *Duchy of Lancaster*, i, 350), may have been in compensation for this loss of office.

<sup>20</sup> *CPR 1317-21*, pp. 116, 123; 'Chroniques de Sempringham', ed. Glover, p. 334; Yorkshire Archaeological Society, MS Grantley DD 53/III/490.

<sup>21</sup> 'Se fore scutum episcopatus contra Scottos', *Historiæ Dunelmensis*, ed. Raine, p. 98. Cf. Phillips, J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke, 1307-24. Baronial Politics in the Reign of Edward II* (Oxford, 1972), p. 127.

<sup>22</sup> Middleton, p. 29; Maddicott, *Thomas of Lancaster*, pp. 204-7.

from any direct connection with Middleton.<sup>23</sup> Certainly, very few of his men appear to have been present at Rushyford, for of the sixty-two named individuals given safe-conducts to go to Rome in September 1318, only four were amongst the adherents of Thomas of Lancaster who were granted pardons in November 1318, under the terms of the 'Treaty of Leake'.<sup>24</sup> Although unencumbered by a similarly wounded conscience, John de Eure undoubtedly was implicated in this plot; but his association with the earl was a consequence of the rebellion rather than a cause of it.<sup>25</sup> It would appear that Lancaster was not the instigator of this outrage; but in its aftermath, he was clearly willing to recruit some of those who had been involved, presumably on the basis that any enemy of the king was a potential friend - no matter how disreputable. Thus the make-up of Lancaster's Northumbrian affinity was determined not by local lordship, but rather by the exigencies of national politics.

The shallowness of Lancaster's lordship in Northumberland can be demonstrated by the minimal effects of its removal, for Lancaster's execution and forfeiture in March 1322 had no very great repercussions in Northumberland. For some individuals, the consequences *were* rather serious, such as John de Eure, who was beheaded after Boroughbridge<sup>26</sup> - but it is surely significant that Eure, who remained loyal to Lancaster to the bitter end, also had lands in Yorkshire, where the earl's lordship was much more locally significant. Other Northumbrians were notably less keen to die with their lord. Gilbert de Halton, Lancaster's parson of Embleton, acknowledged a debt of £40 to Robert le Ewer, the notoriously violent household yeoman; as le Ewer played a prominent military role in the suppression of the Contrarians, the debt was clearly a ransom, in the aftermath of Boroughbridge - and so Halton survived to enjoy his living for the rest of Edward II's reign.<sup>27</sup>

<sup>23</sup> Prestwich, 'Gilbert de Middleton', pp. 185-6.

<sup>24</sup> Above, p. 152. Many of the 1318 pardons granted to the earls' adherents specifically excluded the robbery of the cardinals, which has been taken as evidence of their implication in the plot - and, by extension, of the implication of the earl himself (*Middleton, passim*); however, it is more likely that these were men who adhered to Middleton only after his rebellion had already got under way.

<sup>25</sup> *CPR 1317-21*, p. 88; and see above, p. 198.

<sup>26</sup> *CPR 1321-4*, pp. 127, 128; *Parl. Writs*, II, ii, app., p. 201; 'Chroniques de Sempringham', ed. Glover, p. 344.

<sup>27</sup> *CCR 1318-23*, p. 529; *NCH*, ii, 58.

Just before Boroughbridge, Edward ordered the arrest and imprisonment of William Galoun, John de Denum and John de Roddam.<sup>28</sup> Along with some of his kinsmen, Roddam seems to have remained a rebel, for a couple of years later, he was killed by John, son of the conspicuously loyal Thomas de Heton.<sup>29</sup> By contrast, the other two seem to have had no such difficulty making their peace. Denum was pardoned in September - and within three years, he was a yeoman of the king's household, rewarded, ironically enough, with the keeping of lands in Derbyshire forfeited by Henry Bradburn for rebellion against the king. Similarly, when Galoun died, at some time before July 1323, his estates remained unconfiscated, to be inherited by his son.<sup>30</sup> Odel Heron fought against the king at Boroughbridge; yet just three months later, he had been pardoned, at the request of no less than Hugh Despenser the younger.<sup>31</sup> Edmund de Craster, another erstwhile adherent of the earl, was serving the king in the Scottish marches by October 1322.<sup>32</sup> John de Lilleburn and Roger Mauduit were equally quick to regain royal favour. By September 1322, the king had appointed them both as joint-constables of Dunstanburgh.<sup>33</sup> Both went on to represent the county in parliament; and both were later appointed as sheriff. Nor was Northumberland affected by the lawlessness which afflicted many other areas, where Lancastrian lordship had had rather more local impact - typified by the activities of the notorious Coterel gang, many of whom were former adherents of earl Thomas.<sup>34</sup>

Thomas of Lancaster was not the only figure of national standing to own land in Northumberland, but no other magnate had an equal impact on the county's political society during the unfortunate reign of Edward II. Aymer de Valence, earl of Pembroke, held half of the barony of Mitford, which his father had bought from Roger Bertram in 1262, for 1,000 marks. He took no interest in this estate until his appointment as *capitaneus et custos* between Berwick and the Trent, six weeks after

<sup>28</sup> CCR 1318-23, p. 421.

<sup>29</sup> CPR 1324-27, pp. 138, 149; C 260/35, no. 20A; CCR 1323-7, p. 589. Thomas de Heton had been instrumental in the capture of Gilbert de Middleton (above, p. 150).

<sup>30</sup> CPR 1321-4, p. 204; CFR 1319-27, p. 333; CIPM, vi, no. 485.

<sup>31</sup> Parl. Writs, II, ii, app., p. 201; BL, Cotton MS Nero D.X, f. 112v.; CPR 1321-4, p. 203.

<sup>32</sup> CPR 1321-4, p. 200.

<sup>33</sup> CPR 1321-4, p. 233.

<sup>34</sup> Bellamy, 'The Coterel Gang', p. 700.

Bannockburn. It was undoubtedly this appointment which prompted him to purchase the remainder of the barony, including Mitford castle, in February 1315.<sup>35</sup> He took a leading role in the defence of the Marches in the summer of 1315, and a number of Northumbrian men-at-arms served with him, including John de Eure, William Ridell, Roger Mauduit, Thomas de Umfraville and Odelin Heron. Eure and John de Lilleburne also served him as constables of Mitford. This did not provide him with the basis for a Northumbrian affinity, however, for Eure, Mauduit, Heron and Lilleburne all ended up as adherents of Lancaster, and indeed, Eure handed Mitford over to Gilbert de Middleton. By the time Pembroke recovered it, it was ruinous, and such minor influence as he had wielded in Northumbrian society was nullified.<sup>36</sup> Henry Percy had been active in fighting the Scots since 1296, and he acquired valuable Scottish estates in 1299. However, the Percies did not arrive in Northumberland until Henry's purchase of the old Vesci barony of Alnwick from Anthony Bek, in November 1309, in circumstances which some contemporaries seem to have regarded as rather dubious.<sup>37</sup> However, Henry was dead within five years, leaving a minor as his heir. This son, another Henry, was granted custody of Alnwick castle in October 1318, while he was still a teenager; but although he had been summoned to Archbishop Greenfield's council of Yorkshire magnates in January 1315 (arranged to discuss the defence of the North in the aftermath of Bannockburn), he seems to have made little real impact in Northumbrian politics until after he came of age, in *circa*

<sup>35</sup> *A Descriptive Catalogue of Ancient Deeds in the Public Record Office* (6 vols, HMSO, 1890-1915), iii, A. 4767, 4769, 4770, 4772-3; *Rot. Scot.*, i, 130; *CPR 1313-17*, p. 254; Phillips, *Aymer de Valence*, p. 88.

<sup>36</sup> E 101/15/6, m. 1; E 101/68/2 (36); C.H. Hartshorne, *Feudal and Military Antiquities of Northumberland and the Scottish Borders* (London, 1858), pp. 51-2, cxxxix-cxl; *CPR 1313-17*, pp. 396, 687; Phillips, *Aymer de Valence*, pp. 88-91, 127-8. Eure already held property in the barony of Mitford before its acquisition by Pembroke (*CIPM*, v, no. 294; *CPR 1307-13*, p. 474; *NCH*, xii, 485-6).

<sup>37</sup> *Percy Chart.*, p. 241; King, 'Englishmen, Scots and Marchers', pp. 224-5; Bean, 'The Percies' Acquisition of Alnwick', pp. 309-14. The Percy family's fourteenth-century Northumbrian land-acquisitions are traced by J.M.W. Bean, *The Estates of the Percy Family, 1416-1537* (Oxford, 1958), pp. 3-11; Chris Given-Wilson, *The English Nobility in the Late Middle Ages. The Fourteenth-Century Political Community* (London, 1987), pp. 132-5; for their Scottish lands, see J.M.W. Bean, 'The Percies and their Estates in Scotland', *AA*, 4th ser., xxxv (1957), pp. 91-4.

1322.<sup>38</sup> Thus, for the worst years of Scottish raiding, Northumberland's largest barony was effectively leaderless.

Edward III's reign saw some slight revival of magnate authority in the county. In May 1329, the barony of Wark on Tweed was granted to his favourite, William de Montague, in part payment of 200 marks owed for Montague's life-service - though as Roger Mortimer still held the reins of government, this undoubtedly owed more to financial expediency than favouritism.<sup>39</sup> However, Montague took very little interest in the place and played no great role in Northumbrian affairs (perhaps partly because his possession of the estate was contested by the descendants of Robert de Ros, who had forfeited it in 1296). He did help to start John de Coupland on his path to fame and fortune, and recruited him and Sir Thomas Gray to fight in Flanders; but Gray, at least, evidently held him in little regard, criticising his elevation to the nobility as a waste of crown resources.<sup>40</sup> Montague's descendants were even less interested in Northumberland, and in 1397, the barony was granted away to Ralph Neville. The latter promptly handed it over to Gray's like-named son and heir, in whose family's hands it remained for centuries.<sup>41</sup>

Edward's patronage of Henry Percy (the second lord of Alnwick) had a rather more lasting impact on the county; Percy's acquisition of the baronies of Warkworth and Beanley in the 1330s, established his family as the greatest landholders in Northumberland. Nevertheless, after the decisive English victory at Neville's Cross and the subsequent truce had reduced the scope for military action against the Scots, the Percies spent much of their time fighting in France, and it was not until the end of Edward III's reign, with the acquisition of the Strathbogie and Umfraville lands that they became really dominant. As a result, although Warkworth became their favourite residence, the influence they wielded in Northumbrian society in the 1380s was not as great as historians have usually supposed: throughout the reign of Richard II, the Percies continued to rely heavily on retainers drawn from their Yorkshire heartlands

<sup>38</sup> *Register of William Greenfield*, i, 158-9; GEC, x, 458-60.

<sup>39</sup> *CPR 1327-30*, p. 392; *NCH*, xi, 39-40.

<sup>40</sup> *Fædera*, II, ii, 1048; *The Wardrobe Book of William de Norwell*, ed. M. Lyon, *et al.*, p. 311; *Scalacronica*, p. 167; King, 'Sir Thomas Gray's *Scalacronica*', pp. 22-3; and see above, p. 106.

<sup>41</sup> *CPR 1396-9*, p. 410; *NCH*, xi, 41.



or from their recent Cumbrian acquisitions, even within a Northumbrian context. Tellingly, when Percy decided not to admit Gaunt to his castle at Alnwick in 1381, the messengers he employed for the delicate task of informing the Duke were the Yorkshireman Sir John Hotham and the Cumbrian Thomas de Motherby.<sup>42</sup>

Lancastrian influence in Northumberland was also minimal during Edward III's reign, as for all his warlike proclivities, Henry of Lancaster took very little interest in the Scottish marches. His only known Northumbrian retainer was Sir Robert Bertram, lord of the substantial barony of Bothal, and re-builder of Bothal castle. Bertram received an annuity of 100 marks, plus a twenty pound fee for his service as steward and constable of Dunstanburgh; he also served in France with the duke on at least one occasion, in 1360. This connection certainly proved its worth in 1347, when Bertram was in trouble following the escape from his custody of the earl of Wigtown, whom he had captured at Neville's Cross; Bertram was pardoned for this offence, and the order for his arrest rescinded, specifically at the request of Henry of Lancaster.<sup>43</sup> On Henry's death in 1361, the barony of Embleton passed to his son-in-law, John of Gaunt; unfortunately, the death of Robert Bertram in 1363, without male heirs,<sup>44</sup> left Gaunt without any Northumbrian affinity to go with it. This was not initially a great problem, as he sought to emulate his father-in-law's success against the French on the Continent. However, with his appointment as the king's lieutenant in the Scottish Marches in February 1379,<sup>45</sup> a Northumbrian affinity became a necessity and he set about acquiring one. Over the five years following his appointment as the king's lieutenant in the Marches in February 1379, he retained the prominent Northumbrian knights Sir Thomas de Ilderton, Sir John de Fenwick and Sir William de Swinburne, of whom, Ilderton and Fenwick had already served as sheriff of the county.<sup>46</sup> None of

<sup>42</sup> *Anonimale Chronicle, 1333-81*, ed. Galbraith, pp. 152; Tuck, 'The Percies and the Community of Northumberland', pp. 180-2; S.K. Walker, 'Letters to the Dukes of Lancaster in 1381 and 1399', *EHR* cvi (1991), p. 68.

<sup>43</sup> *CPR 1343-5*, p. 30; *CIPM*, xi, no. 118 (p. 101); *Foedera*, III, i, 483; *Lanercost*, p. 351; *CPR 1345-8*, pp. 314, 552. Henry of Lancaster's retinue is discussed in Holmes, *Estates of the Higher Nobility*, pp. 67-9.

<sup>44</sup> *CIPM*, xi, no. 487.

<sup>45</sup> *Rot. Scot.*, ii, 14

<sup>46</sup> Ilderton was a Lancastrian retainer by 1380 (and constable of Dunstanburgh), Fenwick by 1381,

these were his tenants; Thomas Galoun was the only notable Northumbrian tenant of the Duke to find employment with him, as receiver of Dunstanburgh - and he provided the only note of continuity with Gaunt's predecessors, as Galoun's forefather William had been employed by earl Thomas.<sup>47</sup> At the same time, Henry Percy, the newly ennobled earl of Northumberland, was trying to build up his own affinity in the area; and this competition for retainers was undoubtedly given a bitter edge on Midsummer Day 1381, when Gaunt and Percy fell out. The occasion for their squabble was Percy's refusal to admit Gaunt to his castle of Alnwick, at the height of the Great Revolt of 1381, leaving Gaunt to flee to Scotland, where he had just been negotiating a truce. Up until then, the two had been close political allies; unsurprisingly, this alliance did not survive their falling out, despite a superficial reconciliation contrived at the parliament in November of that year, and thereafter, Gaunt sought to increase his influence in the East March, at Percy's expense.<sup>48</sup>

It is possible to trace Gaunt and Percy bidding against each other for the support of influential individuals, even before their falling out. Thomas de Ilderton is a case in point; when he was appointed sheriff of Northumberland in October 1375, he had already served with Gaunt on at least two campaigns in France, in 1369 and 1372.<sup>49</sup> His attendance in the following year at the feast organised by the abbot of Alnwick Abbey in honour of Henry Percy is therefore likely to have been an attempt to woo him into the Percy affinity, and his appointment as chancellor and chamberlain of Berwick on 18 July 1377 was doubtless owed to Percy, who had been re-appointed as warden of the marches just two days previously. Ilderton duly helped Percy to recapture the town's castle when it was briefly taken by Scottish bandits in December

whilst Swinburne was retained in 1384-5 (*Gaunt's Register, 1379-83*, ed. Lodge and Somerville, i, p. 7, and no. 410; ii, nos. 1096, 1102, 1163-4; Yorkshire Archaeological Society, MS Grantley DD 53/III/501; *NDD*, p. 210; Walker, *Lancastrian Affinity*, *passim*).

<sup>47</sup> *Gaunt's Register, 1379-83*, ed. Lodge & Somerville, ii, nos. 903, 1101; MS Grantley DD 53/III/501; above, p. 199-200.

<sup>48</sup> Walker, 'Letters to the Dukes of Lancaster', pp. 68-75; Goodman, *John of Gaunt*, pp. 81-91; R.L. Storey, 'The Wardens of the Marches towards Scotland, 1377-1489', *EHR* lxxii (1957), pp. 596-7; Tuck, 'Richard II and the Border Magnates', pp. 41-2.

<sup>49</sup> C 76/52, m. 15; C 76/55, m. 21.

1378.<sup>50</sup> However, by April 1380, Ilderton's services had been acquired by Gaunt, who appointed him as steward and constable of Dunstanburgh;<sup>51</sup> and from then on, Ilderton appears to have remained a Lancastrian. Thomas Galoun, Gaunt's receiver of Dunstanburgh, had also previously been the steward of the Percy estate at Warkworth.<sup>52</sup> On the other hand, Bertram de Monboucher, who also served with Gaunt in France (in 1359-60, before the latter had even acquired his Northumbrian lands), ended up in Percy's affinity, serving with him on a number of occasions, and witnessing a deed of enfeoffment for him.<sup>53</sup>

In other cases, allegiances were determined by individual disputes or grudges. In the spring of 1381, William de Swinburne was arrested by the earl of Northumberland, in the latter's capacity as warden of the March, so he could be brought to a forthcoming March day to answer charges about various offences in Scotland; and on another occasion, he was threatened with distraint of his goods if he failed to show up. The earl was also party to the settlement which required Swinburne to pay compensation to Margaret del Strother, for the plundering of her deceased husband's goods.<sup>54</sup> It is therefore surely no coincidence that Swinburne subsequently became a retainer of Gaunt. In fact, the loyalty of William de Swinburne seems to have been a decidedly mercurial quality; as well as serving John of Gaunt and Hotspur, Swinburne was one of the few Northumbrians to serve with Thomas Mowbray, earl of Nottingham, when the latter replaced Hotspur as warden of the East March in March 1389 - an appointment which had prompted the earl of Northumberland to retire to the court, disgusted at this intrusion into his sphere of influence.<sup>55</sup> Gaunt also managed to alienate many of the Northumbrian gentry

<sup>50</sup> 'Cronica Monasterij de Alnewyke', ed. Hartshorne, p. vii; *Rot. Scot.*, ii, 2; *Historia Anglicana*, ed. Riley, i, 388; Tuck, 'The Percies and the Community of Northumberland', p. 187.

<sup>51</sup> *Gaunt's Register, 1379-83*, ed. Lodge & Somerville, i, no. 264, ii, nos. 1163-4; Ilderton is named in a list of Gaunt's retainers, dating from 1382 (*ibid.*, i., 7. For the date of this list, see Walker, *Lancastrian Affinity*, app. v).

<sup>52</sup> 'Charters of Alnwick Abbey', George Tate, *The History of the Borough, Castle and Barony of Alnwick* (2 vols, Alnwick, 1868-9), ii, app., pp. xxi-xxii (June 1373).

<sup>53</sup> *Fædera*, III, i, 443, 483; E 101/40/5; BL, Cotton Roll XIII 8; *CCR 1381-5*, pp. 403, 404.

<sup>54</sup> Above, pp. 185-7.

<sup>55</sup> E 101/41/17, m. 1. Note that m. 1 of this account is barely legible; the names of one or two other

following a Scottish raid in June 1383, in which the castle at Wark was slighted and a nearby town put to the flames. This was a blatant breach of the truce negotiated by John of Gaunt and the earl of Carrick in June 1381, which was supposed to last until February 1384 - and which had been held until then without major infraction. According to the 'Westminster' chronicler, 'aliqui armigeri de partibus borealibus' (certain squires of the north) responded by raiding Scotland, where they fired villages and seized large numbers of cattle.<sup>56</sup> However, John of Gaunt had already (in May) been appointed as warden of the marches, with a commission to negotiate peace with the Scots, following demands from the Commons in the parliament of February 1383 that measures be taken for the greater security of the marches.<sup>57</sup>

Gaunt himself was rather more concerned about events on the continent, where he hoped that after Bishop Despenser's 'crusade' in Flanders was completed, he might be able to employ the bishop's troops to pursue his ambitions in Spain; he was therefore anxious just to patch up the truce on the Scottish borders, which would leave him free to go overseas. Accordingly, he negotiated an agreement with the earl of Carrick, whereby the Scots agreed to pay reparations for the damage to Wark, to be assessed by a jury of 'notable esquires' from both sides of the border.<sup>58</sup> Furthermore, again according to the 'Westminster' chronicle, Gaunt also agreed to hand over the English squires responsible for the retaliatory raid; however, 'nolentes injuste manibus adversariorum suorum tradi' (declining to be unjustly delivered into the hands of their enemies) the latter formed an armed gang and hid-out in the inaccessible highlands of the Cheviots, and Gaunt was unable to catch them.<sup>59</sup> In this case, the illicit raid into

Northumbrians may possibly have been obscured. For Mowbray's appointment, and Percy's reaction, see *Rot. Scot.*, ii, 96; *CDS*, iv, no. 399; *Westminster*, p. 396; Tuck, 'Richard II and the Border Magnates', pp. 44-5.

<sup>56</sup> *Westminster*, pp. 40-2; *Chronicon Angliæ*, ed. Thompson, p. 357; *Rot. Scot.*, ii, 38-9; Macdonald, *Border Bloodshed*, p. 72.

<sup>57</sup> It is entirely probable that this issue was raised by the knights of the shire for the border counties; so it is interesting to note that Northumberland's representatives on this occasion included Gaunt's retainer, Thomas de Ilderton.

<sup>58</sup> *Rot. Scot.*, ii, 51-2; *CDS*, iv, no. 318; Goodman, *John of Gaunt*, pp. 94-7; Tuck, 'Richard II and the Border Magnates', p. 40.

<sup>59</sup> *Westminster*, p. 42.

Scotland was a response by the Northumbrian gentry to a Scottish breach of the truce; since the accession of Robert II, the Scots had proved less than trustworthy in abiding by truces, and the men of Northumberland, who probably considered themselves better placed to appreciate this than Gaunt, clearly considered a military response to be more appropriate than further negotiations to renew a truce which was hardly worth the parchment indentures it was written on. It is usually supposed that crown office provided a buttress to a magnate's local authority - especially that of warden of the Marches, which enabled the border nobility to raise enormous retinues at crown expense; so it is worth noting that in both these cases, the exercise of the wardenship brought both Gaunt and Percy into conflict with the very men they were anxious to recruit to their affinities.

The rivalry of Gaunt and Percy extended to the election of Northumberland's knights of the shire (hardly surprisingly, as Gaunt was widely suspected by contemporaries of 'packing' the Commons). Generally, there is little evidence of influence being brought to bear on the selection of knights of the shire until the 1370s - apart from simple favouritism. Although William Galoun, the bailiff and receiver of Thomas of Lancaster's barony of Embleton, was elected to represent Northumberland at the parliament at Lincoln in January 1316 (the parliament in which Lancaster's political ascendancy was confirmed by his appointment to the king's council), this cannot be taken as evidence that the earl was fixing parliamentary elections within the county; unlike Gaunt, his later successor, Thomas does not seem to have troubled himself to influence the parliamentary representation of any county - let alone Northumberland - for at this time, the Commons' political influence was hardly sufficient for magnates to bother labouring the elections of shire knights.<sup>60</sup> Rather, the election of Galoun suggests that the political community of the county had seen which way the wind was blowing, and so cannily chose to elect a representative who would have the ear of the dominant force in English politics. Nor had this situation changed by the middle of the century; John de Coupland, for instance, was certainly out to increase his power within the county, and when he was serving as sheriff (1350-6), he could have

<sup>60</sup> *Parl. Writs*, II, ii, 158; Maddicott, *Thomas of Lancaster*, pp. 51-3, 180-2; Scott L. Waugh, 'The Third Century of English Feudalism', *Thirteenth-Century England VII* (1999), p. 57.

influenced the county's choice of parliamentary representative if he had so desired. However, of the five men known to have been elected during this time, only one, Robert de Wendout, appears to have had any close links with him. The other four would all have known him in a military capacity, but none of them were amongst his confederates; indeed, Roger de Widdrington (elected to the parliament of February 1351), was one of the more prominent victims of Coupland's campaign of retrospective forfeitures at the end of the decade.<sup>61</sup> Furthermore, although Wendout served in no less than five parliaments (between 1344 and 1360), only one of these was during Coupland's shrievalty.<sup>62</sup> Clearly, Coupland did not feel the need of allies amongst the Commons in parliament to bolster his authority within Northumberland. On the other hand, there were others amongst the Northumbrian gentry who did cultivate contacts with those who represented them. By Easter of 1339, Sir William de Swinburne was paying a fee to Hugh de Sadlingstones, who had been elected to his first parliament in that February. However, as Sadlingstones appears to have been a lawyer, Swinburne was probably more interested in acquiring the benefit of his legal skills than of his parliamentary standing (though, of course, these were not necessarily uncomplementary).<sup>63</sup>

As parliament became increasingly influential in the arena of national politics, so the composition of the Commons became a matter of increasing political significance nationally, and therefore increasingly subject to political manipulation - or so contemporaries suspected.<sup>64</sup> Following the show of strength by the Commons in the Good Parliament of 1376, Thomas Walsingham recorded that John of Gaunt used his

<sup>61</sup> Wendout served as Coupland's attorney, collecting his crown annuity for him from April 1354 (*CCR 1354-60, passim*). The others were Sir Robert Bertram, Sir William de Felton and William de Presfen, of whom, Felton at least had fought alongside Coupland.

<sup>62</sup> However, no returns survive for Northumberland for the parliament of 1355, and it is not impossible that Wendout was returned then as well.

<sup>63</sup> NRO, ZSW 1/69. Sadlingstones was elected again to the parliament in the following October, and in 1343, and was elected for Newcastle, in 1341. This was just the sort of connection that led to the ordinance of 1372, banning lawyers who were pleading cases at Westminster from becoming knights of the shire, because they were suspected of using common petitions to forward their clients' interests (*Rot. Parl.*, ii, 310; Wood-Legh, 'Sheriffs, Lawyers and Belted Knights', p. 381).

<sup>64</sup> Brown, 'Parliament, c. 1377-1422', pp. 111, 119-20.

'men' to ensure that these same commons were not re-elected to the following parliament, in January 1377.<sup>65</sup> In the case of Northumberland, these suspicions do not appear to have been groundless: neither of the representatives elected to the Good Parliament, Sir Robert de Umfraville and William de Heselrigg, were re-elected in the following January (although Umfraville was appointed sheriff in October 1376). Instead, Sir Bertram Monboucher and John de Mitford were elected. Both had previously served in parliaments (1373 and 1372, respectively) which had proved rather more pliant than that of 1376; more to the point, Monboucher had served in France with John of Gaunt in 1359, and appears to have been on good terms with John Neville (a prominent victim of the Good Parliament), while Mitford was an adherent of Henry Percy.<sup>66</sup> Henry Percy was still on very good terms with Gaunt at this point, and has been described as 'Lancaster's most active collaborator in the reconstruction of court policy which followed the Good Parliament',<sup>67</sup> so it cannot be doubted that it was Percy's influence that lay behind this election; clearly, he was one of those alluded to by Walsingham as abetting Gaunt's *surrogatio pro arbitrio*. Nevertheless, Gaunt seems to have tried to cut out the middleman, recruiting his own supporters from amongst the parliamentarians of the county - even before he fell out with Percy. For instance, Walter de Swinhowe was elected, for the first time, to the parliament at Westminster in January 1380. In June, he was appointed as receiver for Lancaster's lordship of Dunstanburgh - his earliest known Lancastrian connection.<sup>68</sup> Gaunt may have been able to attract potential knights of the shire to his service; but unfortunately,

<sup>65</sup> 'Milites vero de comitatibus, quos dux pro arbitrio surrogaverat, nam omnes, qui in ultimo parlamento viliter pro communitate steterant, procuravit pro viribus amoveri ...', *Chronicon Angliæ*, ed. Thompson, p. 112; Holmes, *The Good Parliament*, pp. 184-5.

<sup>66</sup> Mitford served Percy as steward of his manor of Corbridge from 1371, witnessed a deed of Percy's at Alnwick castle in 1374, and acted as a feoffee for him in 1383 (*CCR 1381-5*, pp. 402-4; *NCH*, x, 451; *CPR 1374-7*, p. 111; see also *Commons*, iii, 745). For Monboucher, see *Fædera*, III, i, 443, 483; *Scrope/Grosvenor Controversy*, ed. Nicholas, i, 169; *Commons*, iii, 755-6 (n.b., Monboucher is here incorrectly described as attending the parliament of October 1377; in fact, he went to the parliament of January 1377 - *CCR 1374-7*, p. 428, & cf. *CCR 1377-81*, p. 105). In March 1376, Neville stood as mainprise for Monboucher when the Exchequer was anxious to extract from the latter its dues from his term as sheriff (*CCR 1374-7*, p. 299).

<sup>67</sup> Holmes, *The Good Parliament*, p. 154.

<sup>68</sup> *Gaunt's Register, 1379-83*, ed. Lodge & Somerville, ii, no. 1075.

he lacked the necessary influence at the county court to ensure that these men were actually elected: Swinhowe never went to parliament again.<sup>69</sup> Percy, on the other hand, undoubtedly did exert authority enough to sway Northumbrian elections, and even, on occasion, to impose his own nominees. Thomas de Motherby, elected to both the parliaments of 1384, was a Cumbrian and Percy retainer, who owed his position in Northumbrian society entirely to the earl; clearly, he owed his election to the earl as well.<sup>70</sup> Indeed, Swinhowe's failure to be re-elected may well stem from a grudge on Percy's part, for Swinhowe had previously been a Percy adherent.<sup>71</sup> However, whilst Percy was undoubtedly able to influence Northumbrian elections in his favour, he was by no means in a position to control every point of contact between Northumberland and parliament. At the Westminster parliament of February 1388, the county was represented by Sir Thomas Umfraville, who was related to Percy by marriage, and the Percy adherent John de Mitford. Nevertheless, William Heron was able to deliver a petition demanding redress for the alleged wrong-doings of the earl.<sup>72</sup>

By 1385, Gaunt had more-or-less lost interest in the Marches, preferring to pursue his Iberian ambitions on the Continent. Nevertheless, he was concerned to protect his interests in the area, and it was doubtless through his influence that his main Northern supporter, John, Lord Neville, was appointed as warden of the East March, in April 1386. However, when Neville's brother Alexander, archbishop of York, was appealed for treason in the Merciless Parliament of February 1388, Neville's own position was rendered untenable. With the Scots on the offensive, the Percies were the only realistic candidates for the post, especially as the Appellants could ill afford to antagonise

<sup>69</sup> The records of Northumberland's knights of the shire are complete for Richard II's reign, so this statement can be made without caveat.

<sup>70</sup> Tuck, 'The Percies and the Community of Northumberland', p. 181. Motherby witnessed Percy's confirmation of the charters of Alnwick Abbey in 1373, at Warkworth (printed in Tate, *History of Alnwick*, ii, app., pp. xxi-xxii), and a grant of land to the prominent Percy retainer Ingram de Umfraville, at Alnwick in the year following (*CPR 1374-7*, p. 111); he acted as mainperner for Percy in 1380 (*CFR 1377-83*, p. 195); and his name was entered in the Durham *Liber Vitae* in conjunction with that of Sir Henry Percy (presumably Hotspur, rather than the earl - *Liber Vitae Facsimile*, ed. Thompson, f. 73r).

<sup>71</sup> In March 1373, Swinhowe shared a tenement (with Alan de Heton) in the bailey of Alnwick castle (*Percy Chart.*, pp. 371-2).

<sup>72</sup> *Rot. Parl.*, iii, 255-6 (and see above, pp. 187-8).



magnates of their stature; and Henry Percy *le filz* duly replaced him as warden on 1 July.<sup>73</sup> With this, the last vestiges of Gaunt's influence in the Marches were removed, and his affinity in Northumberland was effectively a spent force, although annuities continued to be doled out.<sup>74</sup> Gaunt did make a belated effort to revive it in March 1398, retaining Edmund Craster, one of his Embleton tenants, at a fee of ten marks - presumably as part of his attempt to bolster the Lancastrian affinity for the sake of his son.<sup>75</sup> If so, then the fee was wasted, for Craster appears to have performed no service whatsoever to Henry IV.<sup>76</sup> However, by this time, even Fenwick and Swinburne had managed to accommodate themselves to the Percies. When Hotspur was rewarded for his role in the revolution with office in North Wales, William de Swinburne found employment with him, as the receiver and steward for the Mortimer estate of Denbigh, and the constable of Beaumaris; and by November of that year, he was close enough to Hotspur to stand as one of the two mainpernors when the latter acquired the wardship of the lands of the prominent Northumbrian knight Bertram de Monboucher. Similarly, by 1401, the Fenwicks had been brought into the Percy affinity to the extent that John de Fenwick's grandson had the earl of Northumberland and Henry Percy de Atholl (Hotspur's cousin) as his godfathers.<sup>77</sup>

In the five years between 1381 and 1386, two of the most powerful magnates in England were vying for influence over the Northumbrian gentry; yet despite the fact

<sup>73</sup> CDS, iv, no. 377; *Rot. Scot.*, II, 94; Goodman, 'Introduction', *War and Border Societies*, pp. 13-14; R.L. Storey, 'The Wardens of the Marches towards Scotland, 1377-1489', *EHR* lxxii (1957), p. 612. Note that (*contra* Storey, p. 600), Hotspur's appointment predated Neville's death, which unhappy event occurred in October; Neville was presumably believed still to be in good health in August, when he was ordered to remain in the north for the defence of the marches (*CIPM*, xvi, nos. 725ff; *CCR* 1385-9, p. 604; cf Goodman, 'Introduction', p. 14).

<sup>74</sup> Swinburne, at least, was still regularly in receipt of his annuity as late as 1396 (ZSW 1/91, 92).

<sup>75</sup> Craster's indenture is calendered in Walker, *The Lancastrian Affinity*, p. 302. For Gaunt's retaining policies in the late 1390s, see *ibid.*, pp. 36-7, 177-8; Helen Castor, *The King, the Crown, and the Duchy of Lancaster. Public Authority and Private Power, 1399-1461* (Oxford, 2000), p. 24.

<sup>76</sup> In fact, Edmund Craster appears to have performed no very significant service to anybody, apart from witnessing a few deeds for Robert Harbottle (*NDD*, pp. 153, 155-6).

<sup>77</sup> ZSW 1/99, 109, 112-16; *CPR 1399-1401*, pp. 49-50; 'Proofs of Age in the Reigns of Henry IV, Henry V and Henry VI', ed. Hodgson, p. 124; Tuck, 'The Percies and the Community of Northumberland', p. 188.

that both held estates in the county (in the case of the Percies, very large estates), and that both held royal office that added considerably to their authority in the region, neither was particularly successful in dominating local political society. This was not just a case of Percy and Gaunt cancelling each other out. After Gaunt had lost interest in Northumberland, Percy may have been able to draw into his orbit such erstwhile Lancastrians as Fenwick and Ilderton, but he was still unable to command the whole-hearted support of the Northumbrian gentry - certainly, as we shall see, there were very few of them who were prepared to come out for the Percies in their rebellions of Henry IV's reign.

The revolution of 1399 brought a new king whose relationships with the political community of England were shaped by the particular circumstances of that revolution. Generally in his dealings with Northern England, Henry IV set out to promote the interests and influence of the Nevilles, a family with impeccable Lancastrian connections, at the expense of the Percies, whose relations with John of Gaunt had been somewhat less cosy.<sup>78</sup> Nevertheless, the military might wielded by the Percies had been crucial to the success of the Lancastrian revolution, and the price of that support was an extension of Percy authority in the Marches; Bolingbroke's gift to the earl of Northumberland of the wardenship of the West March, made under the seal of the Duchy of Lancaster on 2 August 1399 - long before he had any legal authority to make such a grant - represented a down payment on this debt. Doubtless, once king, Bolingbroke would have preferred to revive the Lancastrian affinity in Northumberland and to utilise his father's retainers to govern the county; but in the difficult first year of his reign, he could ill-afford to antagonise the Percies by reneging on his promises to them.<sup>79</sup> Thus, when he made his first hurried round of

<sup>78</sup> R.L. Storey, 'The North of England', in *Fifteenth-Century England, 1399-1509. Studies in Politics and Society*, ed. S.B. Chrimes, C.D. Ross & R.A. Griffiths (2nd edn, Stroud, 1995), pp. 134-5; Mark E. Arvanigian, 'The Nevilles and the Political Establishment in North-Eastern England, 1377-1413', Unpublished PhD Thesis (University of Durham, 1998), *passim*.

<sup>79</sup> Storey, 'The Wardens of the Marches', pp. 603, 612; J.M.W. Bean, 'Henry IV and the Percies', *History* xliv (1959), pp. 219-20. Whether Percy realised in August 1399 that his support was actually being bought for a bid for the throne - or indeed, whether Bolingbroke realised this himself - is perhaps debatable (and has duly been debated by Bean, 'Henry IV and the Percies', pp. 215-21; James

shrieval appointments on 30 September 1399, the day of his accession, Henry ensured that a high proportion of these posts were filled by Lancastrian adherents;<sup>80</sup> but conversely, although Northumberland already had a sheriff with Lancastrian connections, in the person of John de Fenwick, he was obliged to appoint Hotspur in Fenwick's stead. Even within the Duchy of Lancaster barony of Embleton, where he might be supposed to have had a completely free hand, Henry did not employ any of his father's retainers. Instead, 1399 saw the appointment of Robert Harbottle as constable of Dunstanburgh.<sup>81</sup> Harbottle was a Northumbrian squire with no known previous Lancastrian association, and indeed, a man of very little standing in the county (though this was soon amended through royal bounty). His previous affinities had been with the Westmorland knight Matthew Redman, who obtained the king's pardon for him, for a murder committed in Yorkshire in 1392; and with Robert de Umfraville, with whom he was accused of stealing cattle from Isabel de Fauconberg in 1397.<sup>82</sup> Redman was closely associated with the Percies, and owed his position in Northumbrian society to their patronage, whilst Umfraville was related to them by marriage.<sup>83</sup> Harbottle may therefore have been carefully selected as a figure who would be acceptable to the Percies, without being significant enough to arouse concerns that the king was poaching potential Percy retainers - particularly as Dunstanburgh castle had been one of the first Lancastrian strongholds to be secured for Bolingbroke in 1399,<sup>84</sup> and this could hardly have been achieved without the co-operation of the warden of the East March, Henry Percy *le filz*. Of course, it is entirely possible that rather less subtle calculations lay behind this appointment; perhaps it was a reward for some notable service to Bolingbroke performed by

Sherborne 'Perjury and the Lancastrian Revolution of 1399', in *idem*, *War, Politics and Culture in Fourteenth-Century England* (London, 1994); Michael Bennett, *Richard II and the Revolution of 1399* (Stroud, 1999), p. 155, amongst others); but either way, the point remains that it was critical for Henry to keep the Percies happy.

<sup>80</sup> Douglas Biggs, 'Sheriffs and Justices of the Peace: The Patterns of Lancastrian Governance, 1399-1401', *Nottingham Medieval Studies* xl (1996), pp. 152-3.

<sup>81</sup> *Commons*, iii, 286. Harbottle was appointed keeper of the castle for life, in October 1401. For overviews of his career, see *ibid.*, iii, 285-7; Goodman, 'The Defence of Northumberland', p. 171.

<sup>82</sup> *CPR 1391-6*, pp. 404, 688; *CPR 1396-9*, p. 94.

<sup>83</sup> Tuck, 'The Percies and the Community of Northumberland', pp. 181-2, 185-6.

<sup>84</sup> Bennett, *The Revolution of 1399*, p. 154.

Harbottle during the revolution of 1399. Nevertheless, that Henry was mindful of the Percies' sensitivities in the first year of his reign, is suggested by his treatment of Robert de Swinhoe, the son of Walter de Swinhoe who had been appointed by Gaunt as the receiver of Dunstanburgh in 1380. Robert was granted an annuity of twenty marks in September 1400, yet despite this mark of royal favour, he found no employment with the crown until he was appointed a justice of the peace for Northumberland in November 1403. The explanation for this probably lies in the fact that Walter had been a Percy adherent before entering Gaunt's service - and as we have seen, his defection evidently did little to endear him or his family to them.<sup>85</sup>

After a year or so, however, Henry began to be more assertive in his dealings with the Percies, and made tentative efforts to extend his own authority within Northumberland. William de Carnaby was appointed as constable of Norham castle, after the death of Thomas Gray in November 1400. As the castle lay within Northumberland, the office was in the gift of Bishop Skirlaw - and thus safely beyond the Percies' sphere of influence; and there can be little doubt that the king's influence lay behind this appointment, as Carnaby had served Gaunt as the constable of Dunstanburgh during the 1370s.<sup>86</sup> But in governing Northumberland, Henry made considerably more use of the royal affinity he had acquired from Richard, than of the Lancastrian affinity he had inherited from his father. Of the knights retained by Richard, the two most closely associated with Northumberland were Thomas Gray and Gerard Heron; and both were immediately retained by Henry, as was another of Richard's annuitants, the experienced Northumbrian administrator and envoy John de Mitford.<sup>87</sup> None of the three seem to have experienced any great qualms about accommodating themselves to the Lancastrian regime, despite the fact that Gerard's brother John had raised a retinue of seven archers for the army which the Duke of York had led so ineffectually in defence of Richard's throne.<sup>88</sup> Indeed, Gray joined

<sup>85</sup> *CPR 1399-1401*, p. 358; *CCR 1399-1402*, p. 221; *CPR 1401-5*, p. 518.

<sup>86</sup> 'Durham Cursitor's Records', *The Thirty-Third Annual Report of the Deputy Keeper of the Public Records* (London, 1872), p. 49; Somerville, *Duchy of Lancaster*, i, 370. For Carnaby's career, see *Commons*, ii, 490-2.

<sup>87</sup> *CPR 1399-1401*, pp. 30, 41, 101, 190; *Commons*, iii, 222-5, 353-6, 744-6.

<sup>88</sup> *Chronicles of the Revolution, 1397-1400. The Reign of Richard II*, ed. Chris Given-Wilson (Manchester, 1993), p. 251.

Bolingbroke as soon as he landed in England, and was given a prominent role to play in the deposition as a member of the delegation which obtained Richard's formal resignation of the crown.<sup>89</sup> On the face of it, Gray's enthusiastic espousal of the Lancastrian cause is somewhat puzzling, for he had made an exceptionally good marriage to Elizabeth, the sister of Thomas Mowbray (then the earl of Nottingham), and was close enough to Mowbray to be the first named on the council he appointed to look after his interests when he went into exile in October 1398 - and Henry Bolingbroke was, at least in part, the author of Mowbray's downfall. But it would appear that Gray's resentment was directed solely at Richard; perhaps he was rankled more by the loss of a source of patronage than by the loss of the patron himself.<sup>90</sup>

Gray, Heron and Mitford were all appointed to the first commission of the peace of the new reign issued in November 1399 - as indeed they had served on the last peace commission of Richard's reign, in November 1397.<sup>91</sup> However, the three were so prominent in the administration of the county that Henry could hardly have afforded to offend them by not renewing their annuities; and as they were already annuitants of the king in 1399, their recruitment into Henry's affinity did not represent any encroachment into the Percies' sphere of influence. In fact, Gray and Heron were on good terms with the Percies anyway; in November 1399, Gray joined them, along with the Lancastrian stalwarts Thomas Erpingham and Hugh de Waterton, in a consortium which farmed the lucrative Mortimer estates during the minority of the heir; Heron served as Hotspur's under-sheriff in 1401; and John de Mitford had a long record of service to the Percies, serving as their steward at Corbridge, and as a feoffee for the earl.<sup>92</sup> Likewise, the recruitment of Ralph de Eure and William Heron, lord Say (Gerard Heron's elder brother), is unlikely to have troubled the Percies overly; Eure's main interests lay in the bishopric of Durham, while Heron was employed mainly in diplomatic missions to France - though they can only have been offended by his

<sup>89</sup> *CPR 1399-1401*, p. 287; Given-Wilson, *Chronicles of the Revolution*, pp. 163-5, 169, 185.

<sup>90</sup> *CPR 1396-9*, p. 422.

<sup>91</sup> See Table 4, below.

<sup>92</sup> *CFR 1399-1405*, p. 22; *List of Sheriffs*, p. 98; *CCR 1381-5*, pp. 402-4.

subsequent replacement of Thomas Percy as the steward of the household, in the spring of 1402.<sup>93</sup>

Henry's retaining of Robert Umfraville as a king's knight in December 1402, with an annuity of £40, was a different matter.<sup>94</sup> An effective and successful marcher warrior, Umfraville was also prominent in the administration of Northumberland, having been appointed sheriff in November 1401, and was therefore an obvious candidate for such royal patronage. But Umfraville already had links with the Percies; as well as being related by marriage, he had served as their lieutenant in Roxburgh castle, and unlike Mitford, Gray and Heron, he had no previous links with the royal household. Coming on top of the appointment of Ralph Neville as constable of Roxburgh, in place of Hotspur,<sup>95</sup> this must have appeared to the Percies as a further attempt to undermine their authority in the Marches, and doubtless increased their sense of grievance. In fact, the Percies had good reason to be concerned about their authority in Northumberland. Henry IV's initially cautious approach in his dealings with the county, and his unwillingness to attempt to revive the Lancastrian affinity there, suggests that he shared the perception of modern historians that, with their impressive accumulation of Northumbrian estates, the Percies 'must have dominated the county to an extraordinary degree'.<sup>96</sup> Yet the events of 1403 and 1405 suggest that their grasp on the hearts and minds of the Northumbrians was not as firm as historians have assumed, from John Hardyng onwards;<sup>97</sup> for considering the unrivalled extent of their landed wealth in the county, it is remarkable just how little support they got for their rebellions from the gentry of Northumberland.

For his attempted *coup*, Hotspur relied largely on troops raised in Cheshire, whilst the Percies' northern retainers remained in the Scottish marches, ready for a

<sup>93</sup> Eure: *Commons*, iii, 38-43; Lord Say: GEC, vi, 492-3; A.L. Brown, 'The Reign of Henry IV: The Establishment of the Lancastrian Regime', in *Fifteenth-Century England*, ed. Chrimes, *et al.*, p. 13; Storey, 'The North of England', pp. 135-6.

<sup>94</sup> *CPR 1401-5*, p. 237; Chris Given-Wilson, *The Royal Household and the King's Affinity. Service, Politics and Finance in England, 1360-1413* (London, 1986), p. 227.

<sup>95</sup> *Rot. Scot.*, ii, 161. Umfraville was serving as keeper of Roxburgh in June 1400, presumably as Hotspur's lieutenant (*CDS*, v, no. 4601).

<sup>96</sup> Given-Wilson, *The English Nobility*, p. 135.

<sup>97</sup> A notable exception is Tuck, 'The Percies and the Community of Northumberland'.

showdown with the Scots at Cocklaws,<sup>98</sup> therefore, few Northumbrians were placed in the invidious position of being requested by their lord and patron to rebel against their sovereign. There were undoubtedly some who did join the rebellion; by his own account, John Hardyng fought alongside Hotspur at Shrewsbury, whilst a group of six rebels given a safe-conduct and protection a week after the battle included the Northumbrians Andrew and Harvey de Trollop and John Mindrum.<sup>99</sup> However, these were men of little account, and other more prominent Northumbrians who served with Hotspur in Wales managed to avoid being entangled in his treason. William de Swinburne was one of Hotspur's main lieutenants there, charged with recruiting men for service against Owain Glyn Dwr;<sup>100</sup> but Swinburne appears to have withdrawn from his Welsh commitments in 1402, and there is nothing to suggest that he took any part in Hotspur's rising in the following year. Nevertheless, it was in Northumberland that the Percies' adherents held out against the king after Shrewsbury. As one version of the *Brut* put it, 'after this bataille was ydo, the knyghtis and squiers of the north cuntre that had be with ser Henri Percy, wente hoom ayen in to Northumbirlond, and kepte thaymself in strong holdis and castellis and wolde not truste in the kyngis grace';<sup>101</sup> in fact, this is not strictly accurate, in that most of the Percies' 'north cuntre' retainers had not actually been at Shrewsbury, but it is certainly true that the captains of the Percies' Northumbrian castles proved very reluctant to open their gates to the king. According to Hardyng, 'Percy's castelles all his menne held then full strong / to tyme the kyng had graunt hym plener grace'.<sup>102</sup> However, it would appear that 'Percy's ... menne' who held these castles were not actually Northumbrians.

<sup>98</sup> Peter McNiven, 'The Scottish Policy of the Percies and the Strategy of the Rebellion of 1403', *Bulletin of the John Rylands Library* lxii (1979-80), pp. 513-17; Morgan, *War and Society in Medieval Cheshire*, pp. 212-18.

<sup>99</sup> Hardyng, ed. Ellis, p. 351; *CPR 1401-5*, p. 249; McNiven, 'The Scottish Policy of the Percies', p. 515n. One David Trollop had served with the earl of Northumberland in c. 1385 (BL, Cotton Roll XIII 8).

<sup>100</sup> For instance, Swinburne retained a company of ten men-at-arms and forty archers at Chester in January 1402 (NRO, ZSW 1/117).

<sup>101</sup> *An English Chronicle of the Reigns of Richard II, Henry IV, Henry V and Henry VI*, ed. J.S. Davies, CS, 1st ser., lxiv (1856), p. 29. The passage is a translation from the Latin *Eulogium Historiarum*, ed. F.S. Haydon, RS ix (3 vols, 1858-63), iii, 398.

<sup>102</sup> Hardyng, ed. Ellis, pp. 361; and cf. *PPC*, ii, 79-80.

Unsurprisingly, one of King Henry's more pressing concerns was to secure these Northumbrian castles, and to re-assert his authority in the county.<sup>103</sup> On 26 July, less than a week after the battle, he appointed his squire John Coppill as constable of the royal castle of Bamburgh, which had been in the custody of Hotspur in his capacity as warden of the East March. Since Hotspur had 'gone the way of all flesh' (as the commission coyly put it), the wardenship of the East March was now vacant, and three days later, the post was filled by the earl of Westmorland.<sup>104</sup> This was obviously a panic measure, for on 6 August, Westmorland was moved to the West March, replacing the earl of Northumberland - whose continued tenure of the office could hardly be countenanced - and the East March was now committed to the king's third son, John of Lancaster. On the same day, Robert Umfraville and Gerard Heron were commissioned to treat with the Scots for a truce; after all, an attempt by the Scots to exploit the situation was the last thing that Henry needed at this juncture.<sup>105</sup> The situation became somewhat easier on 11 August, on which day Henry obtained the earl's submission at York,<sup>106</sup> and the latter agreed to surrender his castles - though in the event, it proved somewhat more difficult to put this surrender into effect.

With the earl safely in custody, Henry judged that the continued rebellion in Wales was now a more urgent problem, and headed south to deal with it; the task of pacifying Northumberland was left in the hands of the leading Northumbrian gentry, of whom the most prominent were Gerard Heron, John de Mitford, Robert de Umfraville, Ralph de Eure and John de Widdrington, under the supervision of Lords Say and Furnival (Ralph Neville's brother).<sup>107</sup> It is, of course, no co-incidence that all of these except Widdrington were annuitants of the king. Bamburgh seems to have been secured with no great difficulty, perhaps because Henry Percy's lieutenant at the castle, Thomas Knayton, was dead - probably killed at Shrewsbury. At any rate, John Coppill wrote to the king from Bamburgh in January in terms which suggest he had

<sup>103</sup> There is a valuable account of the suppression of the rebels in Northumberland in 1403-5 in *NCH*, v, 36-43.

<sup>104</sup> *CPR 1401-5*, pp. 252, 258.

<sup>105</sup> *Rot. Scot.*, ii, 164.

<sup>106</sup> 'Annales Ricardi Secundi et Henrici Quarti', ed. Riley, p. 372; *Chronicle of England by Capgrave*, ed. Hingeston, p. 283.

<sup>107</sup> *CPR 1401-5*, pp. 262, 284, 296; *PPC*, i, 211-17.



been in control of the place for some time.<sup>108</sup> Warkworth, Alnwick and Berwick castles proved more troublesome, and letters were sent to their garrisons demanding their surrender, under the earl of Northumberland's 'grande seal des armes'.<sup>109</sup> The names of those to whom these letters were addressed are revealing: the constable of Alnwick castle was named as William Worthington, and the other officers listed were John Wyndale, chaplain, William Roddam, John Middleham, Thomas Clerk of Alnwick and Richard Bonde. Warkworth was held by Henry Percy de Atholl, John Cresswell (the constable) and Richard Ask, and Berwick by William de Clifford.<sup>110</sup> Of these (and discounting Percy), only Roddam, Clerk and Cresswell were certainly native Northumbrians; and for that matter, Thomas Knayton, the ill-fated former constable of Bamburgh, was not a Northumbrian. In the main, the garrisons of the Percies' Northumbrian castles seem to have been drawn from their Yorkshire affinity rather than from Northumberland itself. Those Northumbrians who supported the Percies were mainly their tenants. The Roddams held their lands of the Percy barony of Beanley, and had a history of service to their landlords stretching back to the 1330s.<sup>111</sup> John Cresswell came from a Northumbrian family of no very great standing; he owed most of his wealth to a life-time grant from the crown of an assortment of Northumbrian lands and tenements, made in settlement of the arrears of an annuity owed to his father for service in Spain with the Black Prince.<sup>112</sup> Many of these tenements were held of the Percies, and as Cresswell's landed wealth was decidedly precarious, he had every incentive to seek their patronage, to try to obtain a rather

<sup>108</sup> *Royal and Historical Letters during the Reign of Henry IV*, ed. F.C. Hingeston, RS xviii (2 vols, 1860), i, 206-7. The letters patent appointing Coppill as constable of Bamburgh stated that the office was 'in the king's gift by reason of the forfeiture of Thomas Knayton, deceased, late one of the esquires of Henry de Percy' (*CPR 1401-5*, p. 252), which implies that Knayton was actively in rebellion.

<sup>109</sup> *PPC*, i, 213-16.

<sup>110</sup> For Clifford, see *Royal and Historical Letters*, ed. Hingeston, i, 206; Given-Wilson, *The Royal Household and the King's Affinity*, pp. 228-9. The head of the unfortunate Richard Ask was later to adorn York's Botham Bar, following the revolt of 1405 (*CPR 1405-8*, p. 69).

<sup>111</sup> e.g. 'Private Indentures for Life Service', ed. Jones and Walker, no. 36; 'Charters of Alnwick Abbey', Tate, *The History of Alnwick*, ii, app., pp. xxi-xxii; E 101/19/36, m. 3, E 101/20/17, mm. 2, 7; BL, Cotton Roll XIII 8; *Rot. Parl.*, iii, 255-6.

<sup>112</sup> *CPR 1385-9*, pp. 287-8. John Cresswell senior's career as a notorious *routier* in France is described by Fowler, *Medieval Mercenaries*, *passim*.

more durable estate. Likewise, John Hardyng, who fought for Percy at Shrewsbury, was probably a Percy tenant.<sup>113</sup> By contrast, those Percy adherents whose standing in Northumberland was not dependent solely on their Percy connections showed no such loyalty to the Percy cause. Robert Lisle, the constable of the Percy castle of Prudhoe, came from a family of long-standing wealth and influence within Northumberland, and had served the crown as a tax-collector and as a knight of the shire; having so much to lose, he appears to have come to terms with Henry without delay, for he was called upon merely to hold Prudhoe, rather than to deliver it up.<sup>114</sup> And John de Mitford was assigned the task of obtaining the surrender of Warkworth, despite his long record of service to the Percies.<sup>115</sup>

In fact, the efforts of Mitford and his colleagues proved singularly ineffective; Warkworth, Alnwick and Berwick were still holding out in January 1404, when it was reported that Percy livery badges were being distributed by Clifford and Percy of Atholl.<sup>116</sup> This open defiance of the king ended only with the rehabilitation of the earl of Northumberland in March, which removed the cause of the trouble and left his garrisons still in possession of his castles; and it is interesting to note that whilst no Northumbrians of any real standing were prepared to fight for the Percies, they seemed to have exhibited no great enthusiasm to fight against them either. John de Middleham, at least, had made some contacts amongst the Northumbrian gentry, being invited to accompany Thomas Gray and William de Swinburne on a 'private enterprise' cross-border raid, bringing with him 'all the men of our noble lord the earl of Northumberland', with the added stipulation that he act 'as privately as you can

<sup>113</sup> A John son of John Hardyng held land in Trickleby near Chillingham in 1358, and Trickleby was part of the barony of Alnwick, albeit held by the Heton family; John Hardyng the chronicler, born in *circa* 1378, was presumably the son or grandson of this man. It is also worth noting that when Hardyng entered Hotspur's household in *circa* 1390, Chillingham was held by Henry de Heton, who had close ties with the Percies (NRO, ZSW 1/105, 2/27, 28; Hardyng, ed. Ellis, p. 351).

<sup>114</sup> *PPC*, i, 211. For Lisle's career, see *Commons*, iii, 610-12 (note that according to this account, Lisle was given custody of Prudhoe after Hotspur's rebellion; however, the memorandum printed by Nicolas suggests that he already held the office of constable at the time of the rebellion).

<sup>115</sup> *PPC*, i, 211.

<sup>116</sup> *Royal and Historical Letters*, ed. Hingeston, i, 206-7.

best do' (and so presumably without the knowledge of Percy himself).<sup>117</sup> It would hardly be surprising if there was a degree of reluctance amongst the marchers to turn against those who fought alongside them against the Scots.<sup>118</sup> Nevertheless, in the wake of Hotspur's rebellion, there was only one significant change in Northumberland's administration, when Richard Cliderowe replaced William de Mitford as the escheator for the county, in August 1403; but despite the timing, there is no reason to suppose that this stemmed from any doubts over Mitford's loyalties, for he was the eldest son of John de Mitford, one of the king's main agents in dealing with the recalcitrant constables of the Percy castles in the county; and William was anyway appointed to a commission of the peace for Northumberland in November. At a time when Percy's adherents were still holding out in his Northumbrian castles, this peace commission was obviously crucial to the re-assertion of royal authority in the county; so it is interesting to note the degree of continuity with the previous commission of the peace issued for Northumberland, in May 1401, which had been headed by the earl of Northumberland and his son. Of course, by November 1403, Hotspur was dead, and his father was - unsurprisingly - conspicuous only by his absence from the new commission, replaced by John of Lancaster, the earl of Westmorland and Thomas Neville of Halomshire; but of the seven Northumbrian knights and esquires appointed to the commission of 1401, only one, Gerard Heron, was not re-appointed in 1403. Two other Northumbrians were appointed for the first time in 1403, but only one of these, Robert Swinhowe, had any previous Lancastrian connections; the other was Robert Lisle, the erstwhile Percy adherent whose rapid capitulation at Prudhoe was now rewarded by crown office.<sup>119</sup>

A more assertive approach by the king can be seen in the appointment of Thomas de Rokeby as sheriff in January 1405, in place of John de Clavering. This was surely a

<sup>117</sup> 'auxi privatement come vous purrez bonement', NRO, ZSW 1/104 - printed by Tuck, 'Richard II and the Border Magnates', p. 31. Unfortunately, this letter is not dated; but it may safely be assumed that it was written before Gray's death in November 1400 (*CIPM*, xviii, no. 433). As warden of the March, it was Percy's job to stamp out such raids.

<sup>118</sup> In this context, it is interesting to note that when Lord Say died in 1404, he left £20 to the earl of Northumberland in his will, adding 'I have been a soldier under the said earl and received more than I deserve' (*NCH*, v, 37n.).

<sup>119</sup> See appendices, below.

calculated attempt to counter the influence of the earl of Northumberland, for the appointment was made on the 21st of that month, undoubtedly in reaction to the earl's letter of the 12th, written at Warkworth, in which he excused himself from attendance at a meeting of the council on the grounds of 'grand age et fieblesse' and the difficulty of travelling in the winter; and this was evidently regarded with suspicion.<sup>120</sup> Rokeby's lands lay in the far north of Yorkshire, making him the first sheriff of Northumberland not to hold substantial lands in the county since the appointment of the Irishman John de Caunton, in 1311; he was therefore safely removed from Percy's web of affinity, and - perhaps more pertinently - he was affiliated with the Neville family.<sup>121</sup> That Rokeby was seen as a loyal supporter of the king is demonstrated by his recruitment as a king's knight in the same year; and his reliability as a agent of royal authority in the north was subsequently proved when he led the Yorkshire levies to finish off Percy at Bramham Moor, in February 1408.<sup>122</sup> Following the earl's rebellion in 1405, Henry took a very much harder line in pacifying Northumberland, marching up with a large army with a fully equipped siege train, including guns. Prudhoe submitted at once, but the captain of Warkworth (apparently John de Middleham, the constable of Alnwick in 1403) was made of sterner stuff, replying to demands for its surrender by pointing out that the castle was well garrisoned and supplied, and would hold out in the name of the earl. Given the king's conciliatory policy in 1403, Middleham had little reason to suppose that he would be any less conciliatory now.<sup>123</sup> But he may also have been relying on Warkworth's value to the king as an important border fortress - which would obviously not be enhanced by a destructive siege. Sixty years later, when another king of England (Edward IV) was again besieging English rebels in a Northumbrian castle (Bamburgh), he is said to have specified that 'seing it marcheth so nygh hys awncient enemyes of Scotland, he

<sup>120</sup> *PPC*, ii, 103-4. For Rokeby's career, see *Commons*, iv, 228-30.

<sup>121</sup> *The Victoria History of the County of York: The North Riding*, vol. I, ed. W. Page (London, 1914), pp. 49-50, 111-12; *Commons*, iv, 228. For Caunton, see above, pp. 49-50, 63.

<sup>122</sup> *The St Albans Chronicle, 1406-1420*, ed. V.H. Galbraith (Oxford, 1937), p. 28; Given-Wilson, *The Royal Household and the King's Affinity*, pp. 229, 289. Rokeby was then sheriff of Yorkshire.

<sup>123</sup> 'Annales Henrici Quarti', ed. Riley, p. 411; *PPC*, i, 275-6. Middleham was described as 'late keeper of the castle of Warkworth' when he was discovered to be in treasonable communication with the exiled earl of Northumberland in August 1407 (*CPR 1405-8*, p. 428).

specially desirethe to have it hoole, unbroken with ordennanuanue'. In 1405, those who held out in Warkworth may have hoped that Henry would show a similar reluctance.<sup>124</sup> If so, seven shots from the royal cannons were enough to disillusion them, and they surrendered, on 1 July; even so, perhaps in order to end the siege before the castle was too badly damaged, they were granted generous terms: 'the casteleyens to pass free wher they would, / With horse and harnes without chalenge more', according to Hardyng.<sup>125</sup> Alnwick capitulated straight afterwards, but Berwick, apparently held with the assistance of a Scottish force led by the earl of Orkney, required further efforts from the king's gunners to bring about its surrender.<sup>126</sup>

Though the earl of Northumberland may have been able to gain the support of the Scots, he again failed to attract the support of the Northumbrian gentry. The only notable exception was Alexander Blenkinsop, a second son of a minor gentry family who held land in the south of Northumberland and in Westmorland. Blenkinsop held a lease of lands in Alnwick, which perhaps led to his recruitment by the Percies. However, he was also in receipt of an annuity from the king; and this unfortunate conflict of interests was resolved by his beheading after the fall of Berwick.<sup>127</sup> Otherwise, and with the exception of the ring-leaders, Henry demonstrated his customary clemency. There were a few Northumbrians amongst those pardoned for 'treasons, insurrections, rebellions and felonies', such as Robert de Hall, John Preston, John de Warkworth, John Rothbury and William Chatton, whilst the border 'surnames' were represented by numerous Johnsons, Atkinsons and Dixons; there were even a couple of scions of Northumbrian gentry families: Henry Fenwick,

<sup>124</sup> *A Chronicle of the First Thirteen Years of the Reign of King Edward the Fourth*, by John Warkworth, ed. J.O. Halliwell, CS, 1st ser., x (1839), p. 37. Incidentally, although the great tower at Warkworth was undoubtedly impressive enough, its huge traceried chapel windows and none-too-thick walls must have made it virtually indefensible; Middleham's prompt surrender in the face of Henry's cannonade is not therefore surprising.

<sup>125</sup> Hardyng, ed. Ellis, p. 363; *PPC*, i, 275.

<sup>126</sup> Hardyng, ed. Ellis, p. 363; 'Annales Henrici Quarti', ed. Riley, p. 414; *Rot. Parl.*, iii, 605; *Royal and Historical Letters*, ed. Hingeston, ii, 61-3. The bombardment inflicted severe damage on the walls of Berwick, which was not repaired for years (S.B. Chrimes, 'Some Letters of John of Lancaster as Warden of the East Marches towards Scotland', *Speculum* xiv (1939)).

<sup>127</sup> *CPR 1401-5*, p. 59; *CCR 1405-9*, p. 161; Hardyng, ed. Ellis, p. 363; *Commons*, ii, 250-1.

chaplain, and Hugh Swinhoe.<sup>128</sup> Nevertheless, none of these men were of any account in the political society of the county, which remained almost entirely unaffected by the earl's rebellion. After the execution of Archbishop le Scrope, the King did take the opportunity to extend his authority into Hexhamshire (a liberty held by the archbishops of York, and so conveniently in the king's hand), by appointing William Carnaby as steward and bailiff of the liberty for life;<sup>129</sup> but generally, even in the absence of the Percies, Henry still made very little use of his Lancastrian affinity. A case in point is that of Edmund Hastings, who had accompanied Henry on his crusade to Prussia in 1390. By means of a good marriage, and the failure in the male line of the Felton family, he subsequently acquired their extensive Northumbrian estates, centred on Edlingham.<sup>130</sup> Hastings was obviously regarded as dependable by the king, for he was employed extensively on crown commissions and in crown office in Yorkshire, where his family resided, and was awarded an annuity of twenty pounds in 1405. Yet although the bulk of his lands lay in Northumberland, and he proved acceptable enough to Northumbrian political society to be elected as knight of the shire for the parliament of October 1407, the king made very little use of his services in Northumbrian government.<sup>131</sup>

Percy's defection to the Scots can only have served to discredit him within Northumberland, but even so, there was some lingering sympathy for the Percy cause; in August 1407, John de Middleham received a letter from the exiled earl which he forwarded to William Alnwick, a canon of Alnwick Abbey and the vicar of Chatton (a former Percy manor). When Middleham was caught and condemned to death for this treason, William fled in terror to Scotland where he joined the earl - though he did

<sup>128</sup> *CPR 1405-8*, pp. 76-77; and see the comments of Peter McNiven, 'The Betrayal of Archbishop Scrope', *Bulletin of the John Rylands Library* liv (1971-2), p. 199. Preston and Hall had served in Percy's retinue in 1384 (E 101/40/5).

<sup>129</sup> *CPR 1405-8*, p. 69.

<sup>130</sup> *Expeditions to Prussia and the Holy Land Made by Henry Earl of Derby*, ed. Lucy Toulmin Smith, CS, 2nd ser., lii (1894), p. 132; *CIPM*, xviii, nos. 756-7.

<sup>131</sup> *Commons*, iii, 317-19. Hastings' sole appointments in Northumberland by Henry IV were to commissions to uncover concealments and to raise loans for the king, both on the same day (18 June 1406 - *CPR 1405-8*, pp. 155, 201); he did, however, obtain rather more employment in the county under Henry V.

manage to obtain a pardon after the earl's death.<sup>132</sup> On the other hand, William's superior, the abbot of Alnwick, took a distinctly more practical view of political realities; in April 1407, he granted an annuity of two marks to Robert Harbottle 'for his good service and counsel given and to be given'.<sup>133</sup> The removal of the Percies did not leave a total vacuum of power in its wake, and most of their former adherents were able to find alternative sources of patronage within Northumberland. Within six months of the earl's forfeiture, William Roddam was associated with Robert de Swinhoe and Edmund de Craster as a witness for one of Harbottle's property deals. John Hardyng, despite his subsequent avowal of the heartfelt loyalty of 'the people by north' to the Percies, acquired himself another good lord in the shape of Robert Umfraville, who appointed him as his constable at Warkworth - a striking, if somewhat ironic, example of continuity. Even John Cresswell, the recalcitrant constable of Warkworth in 1403, was eventually able to reconcile himself to the new regime; in February 1409, he took out letters of protection for service in the garrison of Berwick with Prince John.<sup>134</sup>

**Table 4. Office-Holding in Northumberland, 1397-1408**

	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408
<b>John Mitford</b>	Kt, JP		JP	Kt	JP, Es	Shf, Kt	JP		JP		JP	
<b>Thomas Gray de Heton</b>	Kt, JP		Kt, JP	d.								
<b>Ralph Eure</b>	Shf, JP		JP		JP		JP		JP		JP	
<b>Sampson Harding</b>	JP		Kt, JP	Es	JP		JP, Kt		JP		JP	

<sup>132</sup> *CPR 1405-8*, p. 428. Incidentally, this is not the William Alnwick who subsequently achieved national eminence as bishop of Lincoln (R.C.E. Hayes, 'The Pre-episcopal Career of William Alnwick, Bishop of Norwich and Lincoln', *People, Politics and Community in the Later Middle Ages*, ed. Joel Rosenthal & Colin Richmond (Stroud, 1987), p. 91).

<sup>133</sup> *NDD*, p. 156.

<sup>134</sup> *Ibid.*; Hardyng, ed. Ellis, p. 361; *CDS*, v, no. 4696.

<b>Gerard Heron</b>	Kt, JP	JP	Shf, Kt	JP	Kt	d.				
<b>Robert Lisle</b>	Kt					JP	Kt	JP	Kt, Shf	
<b>John Fenwick</b>		Shf			d.					
<b>Thomas Gray de Horton</b>				JP		JP		JP		
<b>William Mitford</b>				JP	Es	JP		Es, JP		JP
<b>Robert Umfraville</b>				JP, Shf		JP		Shf		
<b>Richard Cliderowe</b>						Es				
<b>John de Clavering</b>						Shf			Kt	
<b>Thomas Neville</b>						JP		JP		JP
<b>Robert Swinhowe</b>						JP		JP		
<b>John de Widdrington</b>						Kt		JP		JP
<b>William de Carnaby</b>							Kt			d.
<b>Thomas Rokeby</b>								Shf		
<b>Thomas Gray de Heton</b>								JP	JP	Shf
<b>Edmund Hastings</b>										Kt
<b>Robert Harbottle</b>										Kt, Shf

N.B. 'Professional' men of law who were appointed to the peace commissions of a number of northern counties as well as Northumberland, and who held no lands or interests in the county, have been excluded from the table, as they played no part in Northumbrian political society.

Es: Escheator for Northumberland;<sup>135</sup> JP: Justice of the Peace d.: died  
Kt: Knight of the Shire Shf: Sheriff

The decade from 1397 to 1408 had seen profound political upheaval, on both a national and local level; yet throughout this period, the composition of the clique which comprised Northumbrian political society remained remarkably stable. Perhaps the only significant changes in its make-up which can be attributed directly to the political turbulence of these years are the upwardly-mobile career trajectories of Robert Harbottle, whose new-found social advancement was marked out in stone, for all to see, by the impressive tower house which he constructed at Preston;<sup>136</sup> and, to a

<sup>135</sup> Note that from 1397-1401, William Louther served as escheator for Northumberland, Cumberland and Westmorland; from 1401, Northumberland had an escheator to itself.

<sup>136</sup> The 'turre de Preston Roberti Herbottle' was first recorded amongst the *fortalicii* in a survey of



lesser degree, of William Carnaby. The only outsider to be imposed on the county by Henry was Thomas de Rokeby, and his tenure of office lasted for less than a year. Notably, there were no significant losers amongst the Northumbrian gentry, who were far more likely to be removed from crown office by natural causes than by the vagaries of politics; the gentry families who dominated the government of Northumberland after the overthrow of the Percy family were still the same families who had dominated it before the overthrow of Richard II (see Table 4).<sup>137</sup>

All of this begs a rather obvious question; if the Percies really did wield so little authority over the Northumbrian gentry, then why did John Hardyng claim that ‘they have the hertes of the people by north’, and why did Henry V consider it necessary to reinstate them just ten years after their forfeiture?<sup>138</sup> In 1405, the Percies were replaced as the greatest landowners in the county by John of Lancaster, who was granted part of their estate on 27 June, whilst his father was preparing to besiege Warkworth; but he was granted only a greatly diminished part, excluding the Northumbrian baronies of Warkworth and Langley, along with many of the Yorkshire lands and the wealthy manor of Petworth<sup>139</sup> - and given the undoubted Percy sympathies of many of their Yorkshire tenants, demonstrated all too plainly in 1405 and 1408, he is unlikely to have been able to extract the optimum returns from the lands which he did receive. Prince John was therefore unable to match the Percies in one vital matter - and this was the prompt payment of wages. The Percies may have had difficulty in obtaining payment of the fees owed to them by the crown, but they were wealthy enough to pay their own retainers in the meantime, effectively subsidising the defence of the

Northumbrian fortifications made in 1415 (C. Bates, *The Border Holds of Northumberland*, published as *AA*, 2nd ser., xiv (1891), p. 16).

<sup>137</sup> The careers of John de Mitford and the Grays of Heton are particularly telling in this context.

<sup>138</sup> In fact, Hardyng’s comment should be read as pro-Percy propaganda reflecting the politics of the early 1460s, rather than as an objective historiographical thesis (a point I owe to Tony Pollard), but he presumably considered this a credible claim to make on their behalf.

<sup>139</sup> *CPR 1405-8*, p. 40. Langley was granted as a well earned reward to Robert Umfraville, for life, with reversion to John (*ibid.*, p. 50). It should be noted that although Ralph Neville held considerable estates in the south of the county (Tuck, ‘The Percies and the Community of Northumberland’, pp. 188-9), and was regularly appointed to commissions of the peace after 1403, he took no great interest in Northumbrian affairs and made no effort to acquire an affinity there.

Marches from their own estates. John received a substantially smaller fee, and had even greater difficulty extracting the money from Henry's cash-strapped government - as he complained frequently and bitterly,<sup>140</sup> and with a greatly reduced estate, he could not draw on his own landed wealth to the same extent as the Percies to off-set the crown's tight-fistedness. As a result, the garrisons of vital border fortresses were left unpaid and unsupplied, with the consequent threat of desertion, and the defences of Berwick remained in the ruinous state wreaked by Henry's cannons in 1405, rendering it indefensible - or so John claimed. Intended as they were to elicit a financial response, his complaints may have painted an exaggeratedly pessimistic picture; however, their desperate tone is altogether different from the earl of Northumberland's well-known letter of June 1403, in which he vaguely warned of the possible dishonour of 'le bone renome du chivalerie de vostre roialme' if money was not forthcoming. It would appear that John's ability to defend the Marches was genuinely and seriously hampered by a lack of resources; certainly, he would have been hard-pressed to repeat the expedient adopted by Percy in 1384, when the Scots briefly captured Berwick, of buying off its captors for 2000 marks of his own money.<sup>141</sup>

John's problems were largely of the making of his own father. On coming to the throne, Henry had adopted a markedly more aggressive policy towards Scotland, inspired partly by the provocation of the Scottish attack on Wark castle, whilst its owner, Sir Thomas Gray, had been in Westminster helping to depose Richard II; and partly by the need to appease the ambitions of the Percies. He revived English claims to the overlordship of Scotland, demanding that King Robert and his magnates do homage to him; and this stance was maintained, at least nominally, even after his expedition to Scotland in 1400 predictably failed to enforce these demands.<sup>142</sup>

<sup>140</sup> Chrimes, 'Some Letters of John of Lancaster', *passim*; Storey, 'The Wardens of the Marches', pp. 603-4. The Scottish Marches were accorded a much lower priority for crown spending than Calais or Wales (Edmund Wright, 'Henry IV, the Commons and the Recovery of Royal Finance in 1407', in *Rulers and Ruled in Late Medieval England. Essays Presented to Gerald Harriss* (London, 1995), ed. Rowena E. Archer & Simon Walker, pp. 77-8).

<sup>141</sup> Chrimes, 'Letters of John of Lancaster', *passim*; PPC, i, 204-5; *Westminster*, p. 104.

<sup>142</sup> Neville, *Violence, Custom and Law*, p. 97-8; A.L. Brown, 'The English Campaign in Scotland, 1400', *British Government and Administration. Studies Presented to S.B. Chrimes*, ed. H. Hearder &

However, the logical corollary of a hostile policy towards Scotland was massive expenditure on soldiers and garrisons in the Marches (as John of Lancaster appreciated all too clearly), expenditure which Henry was politically quite unable to raise the taxes to pay for; and in practice, the Marches were increasingly left to fend for themselves, though the rhetoric of overlordship continued.<sup>143</sup> Fortunately, the defection of the Scottish earl of March, followed by the spectacular English victory at Humbleton Hill served to obviate the worst potential consequences of this muddling; the removal by desertion, death or captivity of a large section of the Scottish border nobility, coupled with the political instability surrounding the Scottish crown, ensured that the threat of any major Scottish invasion was greatly reduced - though it was, of course, precisely these circumstances which allowed the Percies to contemplate the luxury of rebellion.<sup>144</sup> But these same conditions also served to undermine the whole system of March law. For its effective implementation, this required a degree of co-operation between magnates on both sides of the border; and with the eclipse of the Percies, there was simply nobody left on the English side with the requisite authority.

However much he may have coveted lands in Scotland, the earl of Northumberland had been an effective warden of the Marches; he was thoroughly experienced in the precarious workings of the march tribunals, and whilst the Percies may not have commanded the allegiance of the Northumbrian gentry, they certainly had the authority and standing to restrain and punish the cross-border crime perpetrated by them - as William Heron or William de Swinburne could have testified.<sup>145</sup> The teenaged John of Lancaster had neither the practical authority nor the experience to be an effective replacement; and anyway, his father's hawkish line on Anglo-Scottish relations precluded the necessary cross-border co-operation. The result was a rapid collapse of law and order in Northumberland, and it eventually became clear that in the continued absence of crown interest in the Marches, the only

H.R. Loyn (Cardiff, 1974), 40-54.

<sup>143</sup> A telling indication of the rapid decline of crown interest in the Marches is that between 1296 and 1400, every king of England personally led an expedition against the Scots; after 1405, the only Lancastrian king to visit the Marches was Henry VI, who took refuge there after Towton.

<sup>144</sup> Macdonald, *Border Bloodshed*, pp. 157-60.

<sup>145</sup> *Rot. Parl.*, iii, 255-6; NRO, ZSW 101, 102; Neville, *Violence, Custom and Law*, p. 87 and *passim*.

alternative means of restoring the situation was to establish a local magnate who could do the job for them - and in practice, this meant the Percies.<sup>146</sup>

At the time of Henry Percy's creation as earl of Northumberland, the Percy affinity was drawn largely from their Yorkshire lands, and their authority in Northumberland was far from complete;<sup>147</sup> evidently, their continuing territorial aggrandisement during the rest of Richard's reign did little to change this situation. It has been said of Henry IV's England that 'the county "establishment" was almost a law unto itself and difficult to control from Westminster';<sup>148</sup> but the Percies seem to have trouble enough controlling Northumberland from Warkworth. They could undoubtedly bring the gentry of Northumberland out against the Scots: Ralph de Eure, Sir Robert Umfraville and Robert Harbottle all fought alongside Hotspur at Humbleton Hill;<sup>149</sup> but they could not bring them out against the king. Hotspur's reliance on disaffected Cheshiremen to support his rebellion may have been due to well-founded doubts as to the dependability of his Northumbrian supporters; and it is certainly suggestive that his father's revolts of 1405 and 1408 were based in Yorkshire rather than Northumberland. The Percies' perceived dominance of the county at the beginning of Henry's reign rested largely on their success in keeping out rival magnates; they were able to draw erstwhile Lancastrians as William de Swinburne and John de Fenwick into their orbit due to the lack of any viable alternative to their good lordship. However, it was obviously much more difficult to keep out the influence of the crown; indeed, it proved so difficult that the Percies tried to increase their own influence over the crown instead. Henry successfully exerted his authority over Northumberland by working with the grain of Northumbrian political society rather than against it, by retaining the service of the most influential Northumbrians, rather than attempting to impose his own men. Perhaps if the Percies had done the same, they might not have needed to resort to the desperate expedient of rebellion. But once the crown had lost interest in Scotland and the Marches, this ceased to be a problem.

<sup>146</sup> Allmand, *Henry V*, pp. 311-12; and see above, pp. 194-6.

<sup>147</sup> Tuck, 'The Percies and the Community of Northumberland', *passim*.

<sup>148</sup> Brown, 'The Reign of Henry IV', p. 23.

<sup>149</sup> Macdonald, *Border Bloodshed*, p. 155; *CCR 1399-1402*, p. 552. Note that Harbottle is not mentioned by name, but can safely be identified as the anonymous 'constable of Dunstanburgh' (*ibid.*).

If during the course of the fifteenth-century, the Percies did gain 'the hertes of the people by north', it was perhaps because there were so few rivals for their affections.

### **Northumberland: a 'County Community'?**

Local political society in late medieval England is usually described by modern historians in terms of either 'vertical' links between magnates and the local gentry, usually in the form of magnate retinues or affinities; or of 'horizontal' links between the gentry themselves, embodied in a 'county community'.<sup>150</sup> Clearly, given that neither John of Gaunt nor Henry Percy was able to establish an effective hegemony over the Northumbrian gentry, fourteenth-century Northumberland was not a society which functioned along 'vertical' lines descending from the local magnates. So how important were 'horizontal' links, and was there a 'county community' in Northumberland? Indeed, was there any such thing as a 'Northumbrian political society'?

The forfeitures of 1296, coupled with the failure of the Vesci family; the early death of Henry Percy, less than five years after taking over the Vesci estates; and Thomas of Lancaster's ruthless subordination of his Northumbrian assets to his national ambitions; all of these factors - and more - conspired to leave Northumberland without effective magnate leadership for most of the disastrous reign of Edward II, a period when Scottish raiding was at its worst. The leadership of Northumbrian society therefore devolved on the gentry themselves - if only by default. The most important local offices of sheriff, knight of the shire, and keeper or justice of the peace were shared out largely between individuals from twenty to twenty-five or so of the most influential Northumbrian landowning families.<sup>151</sup> Inevitably, over the course of the fourteenth century, the membership of this office-holding clique did not remain unchanged. Some families and individuals, such as the Raymes', the Hetons

<sup>150</sup> W.M. Ormrod, *Political Life in Medieval England, 1300-1450* (London, 1995), pp. 47-8, 51.

<sup>151</sup> There were, of course, exceptions to this rule of thumb. Notably, some of Northumberland's knights of the shire were not men of great local standing, when the various military commitments of the county elite precluded their election to parliament (above, pp. 68-71).

and John de Coupland, earned promotion to this oligarchy through military service and crown patronage; others, such as the Strothers, by astute land-deals and marriages. Conversely, other families dropped out, occasionally destroyed or financially crippled by the Scottish wars, as happened to the Burghdons and the Fawdons, but more usually due to a simple failure of male heirs, which finished the Bertrams, the Eslingtons, the Feltons and the Hetons, amongst others. As a rule, these families intermarried amongst themselves. Marriage alliances across the length of the county were common; thus John de Widdrington, whose family held lands north-east of Morpeth, and Roger de Heron, whose family lands lay in Glendale, near the Scottish border, were married to the daughters of Adam de Swinburne, from Tynedale. Likewise, John de Fenwick, William Swinburne and Robert de Ogle, whose family lands all lay to the south and south-west of the county, were married to the daughters of Alan de Heton, who held Chillingham, to the north of Alnwick, and Briardene, near to the coast, north of Tynemouth.<sup>152</sup> Marriages outside of the county, such as that which allied the Feltons to the Hastings' of Yorkshire, or Thomas Gray's marriage to the sister of Thomas Mowbray, were rather more the exception.<sup>153</sup>

The county of Northumberland was very well delineated by both geography and politics, bounded to the east by the North Sea, to the north and west by Scotland, and to the south by the bishopric of Durham, the most powerful liberty in medieval England. Within the area between Tyne and Tweed were several smaller liberties, North Durham, Bedlingtonshire (both held by the bishops of Durham), Tynemouth, Hexham, Tynedale and Redesdale, where the king's writ did not run; and consequently, there were several sets of parallel administrations to run them.<sup>154</sup> Even during the worst periods of crisis amidst Robert Bruce's invasions, Northumberland's sheriffs were surprisingly punctilious in observing legal niceties in their dealings with these franchises. When Jack le Irish was arrested in November 1315, for abducting lady Maud de Clifford, two of his accomplices fled to Tynemouth Priory. The sheriff

<sup>152</sup> Figures 2 and 3, above.

<sup>153</sup> For the ubiquity of such 'socially endogamous marriages' amongst the knightly classes of medieval England, see Scott L. Waugh, *The Lordship of England. Royal Wardships and Marriages in English Society and Politics, 1217-1327* (Princeton, 1988), pp. 37, 53-4.

<sup>154</sup> Lomas, *North-East England*, pp. 75-85.

of Northumberland, Adam de Swinburne, was sent a royal mandate ordering their arrest. He duly wrote a polite letter to the bailiffs of the franchise of Tynemouth enclosing a copy of this mandate, along with another from William de Montague - who had been sent by the king to effect Maud's rescue; and a week later, the steward of the liberty handed over the two prisoners to the sub-sheriff of Northumberland, at the royal castle at Newcastle on Tyne. All of these transactions were solemnly recorded in the 'chartulary' of Tynemouth Priory.<sup>155</sup> A similar scrupulousness was shown by the royal government at Westminster. In April 1340, Richard de Talbot, the keeper of the town of Berwick, arrested and imprisoned one William Mason on suspicion of treason; subsequently however, he received a royal writ ordering him to deliver William to the constable of Norham, on the grounds that he had been apprehended at Tweedmouth, within the liberty of the bishops of Durham.<sup>156</sup>

Nevertheless, the king's desire to respect the jurisdictions of liberties did not always sit easy with the interests of royal government. This is graphically illustrated by the case of Elizabeth, the widow of John Muschamp, who appealed Alan de Heton and eleven accomplices of the death of her husband. The case was brought before the court of the King's Bench at Westminster, in the Easter term of 1381; and - predictably - Heton and his fellows failed to show up. The sheriff, Bertram de Monboucher, was duly ordered to attach them, but his return claimed that when he had gone to Coquetdale to do so, he was told that Alan and the rest were in the liberty of Redesdale. The justices were therefore obliged to send a writ to the bailiff of the liberty, with a new attachment, 'non omittens prefatum libertatem', ordering the accused to be produced at court in a fortnight; nevertheless, this seems to have put an end to proceedings for that term.<sup>157</sup> On occasion, however, the crown proved willing and able to override such private jurisdictions, particularly when matters of taxation were concerned. In 1339, the archbishop of York complained that the Northumbrian collectors of the triennial lay subsidy (granted in September 1337) were operating within his liberty of Hexham, contrary to long-established precedent. In June, these collectors duly received a royal writ ordering them to permit the archbishop's own

<sup>155</sup> The relevant extracts are printed in *NCH*, viii, 86-7.

<sup>156</sup> *RPD*, iv, 240; *CCR 1339-41*, p. 383.

<sup>157</sup> KB 27/481, m. 16d. Indeed, there is no evidence to suggest that Heton ever was brought to justice.

ministers to assess and collect the moneys due from the franchise, which they were to receive from him when it had been collected. Nevertheless, just three weeks later, these same unfortunate collectors received another royal writ sharply reprimanding them, 'as the king has learned that by reason of certain liberties in the county, they have delayed to levy the money therein'; they were ordered to collect the arrears with all possible speed, under pain of forfeiture of their lands and goods and of 'being imprisoned and chastised for an example', as the money had been earmarked to pay the wages of the men who were sent to defend the marches against the Scots.<sup>158</sup>

Despite the administrative and legal quagmire which surrounded these franchises, their existence did not serve to hinder the essential unity of Northumberland. Whilst they were jurisdictionally separate in terms of administration and law (as the examples above clearly demonstrate), in terms of society and politics, these franchises were bound inextricably with the county. Their administrations were increasingly placed in the hands of Northumbrian landowners, providing a valuable source of gainful employment. The two border 'shires' of Norham and Holy Island were subject to the jurisdiction of the bishops of Durham sixty miles to the south, but in the aftermath of his kidnapping by Gilbert de Middleton, the newly provided bishop Louis de Beaumont was badly in need of reliable supporters amongst the local gentry; it was doubtless this that led to the appointment of Thomas Gray, a loyal retainer of his brother Henry, as sheriff of Norham and Islandshire and constable of Norham castle, in 1319.<sup>159</sup> Thereafter, the sheriffs and constables of Norham were, with one exception, recruited exclusively from the Grays, Manners, Herons, Carnabys and Ogles, all leading Northumbrian families, some of whom were prominent in the crown administration of Northumberland.<sup>160</sup> The Archbishops of York's liberty of Hexham was also administered largely by the Northumbrian gentry. John de Vaus, William de Sweethope, John de Lisle, Robert de Lisle of Chipchase, John de Swinburne and

<sup>158</sup> *CCR 1339-41*, pp. 148, 159.

<sup>159</sup> James Raine, *The History and Antiquities of North Durham* (London, 1852), p. 45; King, 'Sir Thomas Gray's *Scalacronica*', pp. 11-15.

<sup>160</sup> C.H. Hunter Blair, 'The Sheriffs of Norham', *AA*, 4th ser., xxi (1943), pp. 79-83. The exception was the Norfolk knight Nicholas Dagworth, appointed by Bishop Hatfield to succeed the deceased Thomas Gray in 1370; and Dagworth was an exception who proved the rule, for he granted the office to John Heron just three years later (*CPR 1381-5*, p. 12).



Thomas de Featherstonhaugh were all employed in judicial and administrative capacities in Northumberland by Edward II; they were all also employed in similar capacities in Hexhamshire by Archbishop William Greenfield.<sup>161</sup> These were all men whose lands lay near to Hexhamshire, but by no means all of them held any property in the franchise itself. Succeeding archbishops made similar use of the services of prominent Northumbrian gentry: thus, in December 1399, William de Mitford was appointed by Archbishop Richard Scrope as steward of the liberty. William was the eldest son of John de Mitford, a leading figure in the crown administration of Northumberland who also served Henry Percy as steward of the neighbouring manor of Corbridge; and William himself went on to have an administrative career to match that of his father.<sup>162</sup>

The social ties that crossed the boundaries of these sometimes conflicting jurisdictions are demonstrated by a deed of May 1378, when Richard Vaus and Robert Lang granted all their property in the county of Northumberland, and in the liberties of Redesdale and Tynedale, to William de Swinburne.<sup>163</sup> The premier witness was Alexander de Merton, the prior of Hexham Abbey, and then chancellor of Tynedale. The other named witnesses were Alan del Strother (former bailiff of Tynedale, and erstwhile sheriff and knight of the shire for Northumberland), Thomas de Blenkinsop, Nicholas Raymes (who was to be elected to represent Northumberland in parliament six months later), Walter Heron (who would also go on to represent Northumberland), Hugh de Ridley and John de Thirlwall, senior.<sup>164</sup> It must be said, however, that such networks could easily fall apart. Within three years of the sealing of this deed,

<sup>161</sup> *Register of Archbishop Greenfield*, ed. Thompson & Brown, i, *passim*; NRO, ZSW 169/7.

<sup>162</sup> *A Calendar of the Register of Richard Scrope, Archbishop of York, 1398-1405*, ed. R.N. Swanson (2 vols, York, 1981-5), i, 106; *NCH*, x, 451. For the careers of John and William de Mitford, see *Commons*, iii, 744-9. A clerk called John de Mitford was appointed as receiver for Hexhamshire on the same occasion; whilst he cannot be identified with William's father, who was not a clerk, he was presumably a relation.

<sup>163</sup> NRO, ZSW 1/78 (printed Hodgson, *Northumb.*, III, ii, 34).

<sup>164</sup> In addition, Blenkinsop, who owned lands in Westmorland as well as Northumberland, later represented both Westmorland and Cumberland at parliament (*Commons*, ii, 250-1).

Swinburne was violently at odds with Strother's widow, whose side was taken by Blenkinsop.<sup>165</sup>

These cross-jurisdictional links within Northumberland remained in place partly because, unlike the bishopric of Durham (at least, between Tyne and Tees), liberties such as Tynemouth, Hexhamshire and Tynedale were simply too small to generate a separate political community, whilst Islandshire and Norhamshire were just too far removed from Durham to form a part of the bishopric's own polity. But such factors did not apply to the town of Newcastle, one of the largest and wealthiest in the realm. A separate political community, with its own administration and parliamentary representation, it eventually acquired its own sheriff, in 1400, and was thereby also removed from the jurisdiction of Northumberland. Nevertheless, the town retained close social and political links with the county that lay to its north, political links which were hardly typical of the relationships of large towns with their hinterlands in fourteenth-century England.<sup>166</sup> Sessions of Northumberland's county court were customarily held at the royal castle which had given the town its name, and which was in the charge of the sheriff (until 1400). The Northumbrian gentry formed many marriage alliances with Newcastle burgesses, and *vice versa*. There was also some overlapping of personnel between the formally separate administrations. Hugh de Sadlingstones was elected to represent Northumberland in both the parliaments of 1339, and that of April 1343; and in April 1341, he was elected to represent the burgesses of Newcastle. When Alan del Strother was appointed sheriff of Northumberland in November 1356, an elder brother, William, was serving as mayor of Newcastle, having married into the town's oligarchy. And at the end of the century, Sampson Hardyng was prominent in the administration of both town and county, representing both Newcastle and Northumberland at various parliaments.<sup>167</sup>

Given its proximity to the Scottish border, lying at the end of an invasion route leading directly down the Tyne valley, the town of Newcastle could scarcely hope to

<sup>165</sup> Above, pp. 185-7.

<sup>166</sup> Tuck, 'The Percies and the Community of Northumberland', p. 183; Lomas, *North-East England*, pp. 166-8.

<sup>167</sup> *Early Deeds Relating to Newcastle*, ed. Oliver, pp. 215-16; *Commons*, iii, 317-19. The rising fortunes of the Strother family are outlined in Lomas, *North-East England*, pp. 69-70.

avoid the impact of Scottish invasion, any more than could the rest of Northumberland (although the Scots never made a serious attempt to take the town - unlike the less fortunate Carlisle). Indeed, so closely was Newcastle drawn into the war effort against the Scots that Richard de Emeldon, one of its leading burgesses (and a former mayor), was killed at the battle of Halidon Hill, 1333.<sup>168</sup> The close links between town and county were therefore forged, at least in part, by a community of concerns and interests arising from the Scottish wars, as is demonstrated by the similar excuses proffered in concert by sheriffs of Northumberland and bailiffs of Newcastle for the refusal of their respective communities to elect representatives to parliament at time of military crisis.<sup>169</sup> The same factors account for the strength of other cross-jurisdictional bonds within Northumberland; Scottish invasions took little account of the legal privileges of the Northumbrian liberties, and so the inhabitants of these liberties could ill-afford to stand on these same privileges to cut themselves off from their neighbours. The nationally notorious lawlessness of the outlaws of Tynedale and Redesdale was more a product of the armed truce of the fifteenth and sixteenth centuries, than of the outright war of the fourteenth.

The outlook of the Northumbrian gentry was not, however, entirely constrained by the Tyne and the Tweed; they were entirely capable of acting in conjunction with the men of the other border counties to represent 'regional' concerns. Sometimes - as when the 'povres liges des Countees de Northumbr', Cumbr', & Westmerl'" petitioned in the parliament of January 1390 for relief from various arrears of fines, farms, subsidies, etc.<sup>170</sup> - this may perhaps represent nothing more than the knights of the shire for these three counties getting together at Westminster to back a request originating from just one of the counties involved. On other occasions, however, there was clearly not the case; a petition from 'le people del Counte de Northumbrelaund et de le Euesche de Durem', calling for co-operation between the county and bishopric authorities in catching criminals, and probably dating from 1341,<sup>171</sup> cannot have been cooked up at parliament, for the bishopric of Durham did not send representatives to

<sup>168</sup> *CCR 1333-7*, p. 200.

<sup>169</sup> Above, pp. 64-7.

<sup>170</sup> *Rot. Parl.*, iii, 270-1.

<sup>171</sup> *Northumb. Pets*, pp. 125-6.

parliament. The jurisdiction of the bishops of Durham formed a well-defined and jealously guarded boundary; nevertheless, links across this boundary were facilitated by those of the landed gentry who held estates in both the county and the bishopric; and such men naturally tended to be amongst the wealthier - and therefore more influential - landowners. Thomas Gray (the chronicler) served the bishops of Durham not only as constable and sheriff of Norham, but also in a judicial capacity in the bishops' court at Durham. However, he was more prominent in Northumbrian society, being the first-named on the 1346 petition from the community of the knights and sergeants of Northumberland.<sup>172</sup>

Some indication of a sense of Northumbrian regional solidarity - albeit expressed in somewhat negative terms - is provided by William de Felton's letter to the king of 1340, relating the defeat of a Scottish incursion, in which he sourly comments, 'and there were no men of the country (*hom du pays*)' at the battle except for Sir Thomas de Gray and Sir Robert Manners - with the clear implication that more *hom du pays* should have been there.<sup>173</sup> On the other hand, Gray himself, in his *Scalacronica*, consistently describes the men of his locality as 'marchers' or 'men of the marches', rather than as 'Northumbrians'. Furthermore, all bar one of those he mentions by name held lands to the north of the river Coquet, which suggests that Gray's social horizons did not encompass all of the Northumberland, let alone the bishopric of Durham, south of the Tyne, even though he held lands and office there.<sup>174</sup> And if Gray was at all typical of his peers, this would suggest that owning land across county boundaries did not preclude identification with one particular 'county community', or even on a level still more localised.<sup>175</sup>

<sup>172</sup> 'Durham Cursitor's Records: Calendar of Rolls of Bishop Hatfield', *The Thirty-First Annual Report of the Deputy Keeper of the Public Records* (London, 1870), app. ii, p. 134; *Greenwell Deeds*, ed. Joseph Walton, *AA*, 4th ser., iii (1927), nos. 194, 199; C 49/7/20.

<sup>173</sup> SC 1/54/30 (see Appendix 1, no. ii, below). That the *pays* in question was specifically Northumberland can be inferred from the fact that both Gray and Manners were Northumbrians, as indeed was Felton.

<sup>174</sup> King, 'Englishmen, Scots and Marchers', pp. 223-4, 226-8.

<sup>175</sup> Peter Coss, 'Identity and the Gentry, c. 1200 - c. 1340', *Thirteenth-Century England* vi (1997), pp. 58-59; cf. Carpenter, 'Gentry and Community', p. 362.

This, of course, begs the question of whether such regional solidarity was enough to constitute a real and meaningful 'county community'. Like 'feudalism', the very phrase 'county community' is no longer considered to be historiographically-correct in certain quarters.<sup>176</sup> However, unlike 'feudalism', a word coined by post-medieval historians, the phrase 'county community' was actually used by contemporaries to describe themselves, including Northumbrians; thus, in *circa* 1280, 'la comunnaute de Norhumbr' [*sic*] petitioned the king concerning the deaforrestation of the royal forests in the county; a hundred years later, 'la comune de Northumbr'' presented another petition on the same subject. More plainly, 'les poures gentz de la Communaute de Northumbreland' petitioned the crown for respite of debts, in 1327, while a petition for tax relief in 1334 was presented by the 'ligges gentz de la Communalte de Northumbreland'.<sup>177</sup> One of the major difficulties for modern historians has been to identify precisely who constituted the 'county community' within any given county. Fortunately, in the summer of 1346, 'the whole community of the knights and sergeants of the county of Northumberland' were considerate enough to identify themselves in a petition presented to the crown, sealed by nineteen named individuals.<sup>178</sup> Tellingly, their petition was made on behalf of one Edmund de Fenham, an otherwise obscure individual of no standing in county affairs, though

<sup>176</sup> Most notably, see Christine Carpenter, 'Gentry and Community in Medieval England', *Journal of British Studies* xxxiii (1994), a virulent attack on the whole concept of the 'county community'.

<sup>177</sup> *Northumb. Pets*, pp. 4, 104, 191, 211. Other petitions were presented by the 'gentz de Northumberland', in 1328-9, and 'les poures gentz de Northumbreland' (four petitions, 1319-22); 'les ... liges gentz du Northumbreland' (*circa* 1325); the 'gentz du Couunte de Northumbr'' (1334-4); 'le poeple del Counte de Northumbrelaund' (1341); the 'povres liges de Northumbr'' (1376), 'les lieges de Counte de Northumbr'' (1379), and, more simply, 'les lieges de Norhumbr'' (1377); and the 'Communes des Counte de Northumbr'' (*tempore* Edward III), 'les Communes de Northumbr'' (1376), and the 'poures Comunes de Northumbr'' (1382) (*Northumb. Pets*, *passim*; *Rot. Parl.*, ii, 349, 352, iii, 69).

<sup>178</sup> 'Tous la comoune de la counte de Northumbr' cheualers et sergaunz', C 49/7/20, no. 2 (see Appendix 1, no. iii, below). Noted by Ormrod, *The Reign of Edward III*, p. 161). The nineteen were Sir Thomas de Gray, Sir Walter de Creyk, Sir Robert de Manners, Sir Robert de Eslington, Sir Robert [r. John] de Lisle de Woodburn, Sir Robert de Lisle de Chipchase, Sir William de Swinburne, William Heron, John Heron, John de Coupland, Roger de Widdrington, Robert de Haggerston, Walter de Hakford, Robert [r. John] de Clifford, Thomas de Heton, Alexander de Cheswick, Robert de Tughall, Michael de Presfen and David Gray (plus the customary anonymous 'others').

concerning a problem which was of concern to them all, suggesting a genuine community of interest. Indeed, those who appended their seals identified themselves specifically as the ‘whole community of the *knights and sergeants* of the county of Northumberland’, as though they considered the county community as a whole to be more widely inclusive.

The county court has been suggested as the main focus for fourteenth-century ‘county communities’, and indeed, the Northumbrian county court is the most likely venue for these nineteen to have gathered.<sup>179</sup> A gathering of just nineteen might not perhaps seem very many for a session of a county court, particularly compared to the 330 who attended a Lincolnshire county court session in 1388 to swear allegiance to the Appellants, or indeed, the 171 who were present in Northumberland itself in September 1278, for a distraint of knighthood.<sup>180</sup> However, occasions such as a distraint of knighthood or a politically charged oath of allegiance were out of the ordinary, and might therefore attract a much larger attendance than usual - whether out of interest or compulsion. That the Northumbrian county court generally attracted a rather lower level of attendance can be gauged from the numbers present for elections to parliament, recorded in accordance with a statute of 1406, which required the results of elections to be returned in an indenture sealed by all the electors. From these returns, it seems that just fifteen were present at the county court at Newcastle on 29 September 1407, when Edmund Hastings and Robert Harbottle were elected to represent Northumberland at the forthcoming Gloucester parliament; and seventeen were present at Morpeth on 26 October 1417, for the election of Robert Lisle and John Middleton.<sup>181</sup> Of course, it is possible that these electoral indentures were sealed only

<sup>179</sup> J.R. Maddicott, ‘The County Community and the Making of Public Opinion in Fourteenth-Century England’, *THRS*, 5th ser., xxviii (1978); Saul, *Knights and Esquires*, p. 259. It should be noted that the justices of the general eyre of 1279 recorded that it was customary to hold county courts every six weeks in Northumberland (*Assize Rolls of Northumberland*, ed. Page, p. 315), though elsewhere in the realm, once every four weeks was more usual.

<sup>180</sup> Maddicott, ‘The County Community’, pp. 29-30.

<sup>181</sup> C 219/10/4; C 219/12/2 (16); A.L. Brown, ‘Parliament, c. 1377-1422’, *The English Parliament in the Middle Ages*, ed. R.G. Davies & J.H. Denton (Manchester, 1981), p. 119. I have assumed that those elected were present, as well as those who elected them. Clearly, Northumbrian parliamentary elections generated less excitement than those of, for instance, Gloucestershire, where 200 turned up for the

by a portion of those actually present, but though the electors listed for the 1407 election are headed by five knights, including such eminent names as Robert Umfraville, Robert Ogle and John Widdrington, it also includes nonentities such as William Chesman, Nicholas Turpin and Thomas Whitley, none of whom played any significant role in county affairs.

A more impressive display of county solidarity occurred in August 1364, when Sir William Heron, Sir John Heron, Sir William de Lilleburn, Sir Roger Heron, Nicholas Raymes, and William Heron's sons, John, Walter and Thomas, were able to obtain the support of thirty-three individuals who were prepared to mainpraise them to appear before the king and his council at Michaelmas. Of these thirty-three, all but four or so were Northumbrians, or held significant estates in the county.<sup>182</sup> However, this unity seems rather less impressive when it is remembered precisely why William Heron and his associates needed mainperners; for they were the aiders and abettors of the murderers of John de Coupland. Coupland had been among the nineteen 'knights and sergeants of the county of Northumberland' who petitioned the king in 1346; but so had William and John Heron, and (probably) Coupland's murderer, John de Clifford. Of the others, Robert de Tughall and Roger Widdrington were mainperners in 1364; but Thomas Gray helped Coupland's widow to prosecute his murderers.<sup>183</sup>

Inevitably, the structure of any 'county community' was shaped by the framework of royal administration within which it functioned. The county was originally a construct of the crown, and in Northumberland's case, a comparatively recent one.<sup>184</sup> The sheriff was an officer of the crown whose function was to further the king's business; the knights of the shire went to parliaments which were summoned at the king's convenience, usually to grant taxes which were then assessed and collected by

election of 1410 (Maddicott, 'The County Community', p. 30).

<sup>182</sup> Just 1/661, m. 8. The four obvious exceptions were the Yorkshireman Richard de Aske, the Durham knight Robert de Conyers, and Richard de Bury and John del Chaumbre (whom I have been unable to identify).

<sup>183</sup> Above, p. 166.

<sup>184</sup> Northumberland had remained semi-detached from Anglo-Saxon England and was never incorporated into the Wessex kings' system of shires. As this previously flexible system was effectively frozen after 1066, the rump of Northumbria became 'Northumberland' rather than 'Northumbershire', when it was eventually subjugated to Norman government by William Rufus and Henry I.

local collectors appointed by the king, on a county by county basis; and commissions of the peace were appointed on the same basis. Given that the crown habitually treated with local communities through the medium of the county, it is perhaps hardly surprising that the county is so prominent in records - most of which were generated by the crown itself. Nor would it be surprising if local communities became habituated to themselves dealing with the crown through the same medium. Nevertheless, whether or not it was a chimæra summoned into existence by the crown, the 'comune de Northumbr' was effective enough as a corporate entity to enable Northumbrians to raise their concerns, and to have them addressed by the crown.

Over the course of the fourteenth century, parliament became an increasingly important point of contact between the crown and the shires, providing a forum where such concerns could be brought to the attention of the crown, and 'the community of Northumberland' was able to utilise this forum to the full.<sup>185</sup> Four days after the beginning of the parliament summoned at Westminster in 30 September 1331, the Chancery issued an exemplification of letters patent originally issued in February 1327, pardoning the men of Northumberland certain moneys owed at the Exchequer. This exemplification was granted at the request of Roger Mauduit; and Mauduit was one of the representatives elected for Northumberland.<sup>186</sup> In June 1344, when the Commons granted two fifteenths and two tenths to Edward III, they insisted - amongst other things - that 'all the Aid raised north of the Trent should be spent on the defense of the North; and that the Prince, Sir Edward de Balliol, or another close relative of the King should be in the Marches in order to act there in the best manner which can be ordained for the salvation of the land'.<sup>187</sup> Northumberland's representatives at this parliament included William de Presfen; a veteran of the Scottish campaigns of the 1330s, he had captured the earl of Moray in a border skirmish in 1335.<sup>188</sup> There were few amongst the Commons better qualified to comment on military affairs in the

<sup>185</sup> J.R. Maddicott, 'Parliament and the Constituencies', *The English Parliament*, ed. Davies & Denton (Manchester, 1981).

<sup>186</sup> *CPR 1330-4*, p. 169. Cf. *CPR 1327-30*, p. 23.

<sup>187</sup> *Rot. Parl.*, ii, 148; *Knighton's Chronicle*, ed. Martin, p. 50. Edward de Balliol was duly appointed *capitaneus et ductor hominum ad arma* for the defence of the marches on 25 August (*Rot. Scot.*, i, 654-5).

<sup>188</sup> Above, pp. 112, 125-6.



marches, and there can be little doubt that Presfen was instrumental in shaping the opinions of the Commons in this matter. Northumberland's knights of the shire were also to obtain remission of the county's taxes or other financial burdens;<sup>189</sup> such issues were obviously of great concern to Northumbrian landowners, a concern which is demonstrated by what appears to be a draft for a parliamentary petition, preserved amongst the Swinburne papers. It is undated, and if it was ever presented to parliament, it does not appear to have been acted upon, as no recorded grant of tax relief corresponds with the measures called for; nevertheless, somebody in Northumberland considered the draft to be worth the trouble of preserving.<sup>190</sup> The opponents of John de Coupland and William de Nessfield were able to obtain a statute in parliament which effectively ended their nefarious schemes of retrospective forfeiture, whilst William Heron was able to lodge a complaint in parliament against the oppressive conduct of the earl of Northumberland. Occasionally, it is even possible to catch a glimpse of a fourteenth-century Northumbrian knight of the shire acting in a similar role to a modern MP, pursuing the interests of his 'constituents', such as when Ralph de Eure helped Margaret del Strother to reach a settlement in her dispute with William de Swinburne and Robert Ogle.

However, whilst parliament was increasingly the main channel of communication to the king for most of the English counties, the demands and routine business of war provided additional channels for the Northumbrian gentry, outside of parliament, bringing many of them into personal contact with the royal government at Westminster. In July 1317, Sir John de Halton, 'a knight of Northumberland', came to London to discuss various matters concerning the county with the king; that these matters were of a martial nature can be deduced from the fact that he took out letters of protection for service against the Scots just three weeks afterwards. A year later, David de Langton, the constable of Wark castle, was in London to advise the king on

<sup>189</sup> *e.g.*, *Rot. Parl.*, iii, 69 (1379), 270-1, 280 (1390).

<sup>190</sup> NRO, ZSW 4/55 (Appendix 1, no. vi, below). William de Swinburne was elected to parliament in 1395, and may therefore have drafted it himself, though as Northumberland had at that time been enjoying a truce for six years, this is not perhaps likely. However, the document in question has been preserved amongst papers relating to the Strother family, and may have been acquired by the Swinburnes at a later date.

‘certain business touching the castle’.<sup>191</sup> William Heron was at Westminster on 23 May 1342, when he sealed an indenture to serve in the Marches with ten men-at-arms and twenty archers.<sup>192</sup> In December 1346, sixteen prominent marchers were summoned to Westminster for the beginning of January; amongst them were Robert Bertram, then sheriff of Northumberland, Thomas Gray (the chronicler), Walter de Creyk, Robert de Ogle, Robert de Tughall and John de Coupland, as well as Gilbert de Umfraville, Henry de Percy and Ralph de Neville. They were to discuss the defence of the realm and a possible Scottish expedition (‘statum et defensionem regni nostri Anglie, ac expeditionem guerre Scotie summe contingentia’), discussions which clearly led to Edward Balliol’s expedition of May 1347; and Bertram and Coupland both led retinues into Scotland on this same expedition.<sup>193</sup> Even after the defence of the Marches had been wholly delegated to the wardens, military business continued to bring Northumbrians to Westminster. Shortly after Otterburn, Heron’s grandson (another William) was paid £60 for his wages and expenses for carrying money for the wardens from London to the north, and for raising men-at-arms and archers to serve in their retinues.<sup>194</sup>

The military imperatives of the Scottish wars brought a disproportionate number of Northumbrians into Edward II’s household.<sup>195</sup> His son, concerned more with the

<sup>191</sup> Society of Antiquaries, MS 121, ff. 32v., 33v.; *CDS*, v. no. 3128. Halton was paid 40s for his trouble, Langton £5. As he is described as ‘late’ constable of Wark, Langton’s business presumably related to its capture by the Scots, in May 1318 (MS 121, f. 20).

<sup>192</sup> E 101/68/3 (56). A similar indenture with Heron’s brother-in-law, Gerard Widdrington, was sealed on the same day by William de Emeldon, parson of Bothal, rather than Widdrington himself, a detail which suggests that Widdrington was not present (E 101/68 3 (56)). The fact that Heron did seal his indenture personally therefore implies that he was actually at Westminster.

<sup>193</sup> *Fædera*, III, i, 97; *Rot. Scot.*, i, 691-2; *Anonimale Chronicle, 1333-81*, ed. Galbraith, p. 28. Gray, Coupland, Ogle and Bertram had also been amongst the recipients of personal letters from the king, thanking them for their good service at Neville’s Cross (*Fædera*, III, i, 91-2). The expedition is described in Nicholson, *Scotland. The Later Middle Ages*, pp. 147-8.

<sup>194</sup> E 403/521, m. 3.

<sup>195</sup> These included, at various times, William, John, Roger and Robert de Felton, Adam de Swinburne, Roger Mauduit, Roger de Horsley, John de Vaus, John de Fenwick, John de Lilleburn, Thomas de Fishburn, Thomas de Heton, John de Denum and, not least, Gilbert de Middleton (*CDS*, iii, app. vii, p. 394; BL Cotton MS Nero C.VIII, f. 91; E 101/378/6; E 101/378/6, d.; E 101/376/7, f. 40; E 101 377 1;

pursuit of his French ambitions than with fighting the Scots, recruited fewer of his household from the northern Marches, particularly after 1337, but several Northumbrians still found their way into his *familia*.<sup>196</sup> Neither of these kings used their household knights and *valets* as political agents in the localities; the royal household remained a primarily military establishment until the last years of the reign of Edward III. Nevertheless, the military complexion of Northumberland's governing coterie ensured that the most prominent military figures in the county tended to be the same men who dominated the crown governance of the county. By contrast, Richard II and his supplanter, Henry IV, had a very deliberate policy of retaining prominent figures in the localities as a means of increasing their political influence over those localities, and as we have seen, both retained some of the most influential of the Northumbrian gentry.<sup>197</sup> But as well as bringing the Northumbrian gentry into personal contact with the crown, the Scottish wars on occasion brought the king up to Northumberland. Edward I, Edward II, Edward III, Richard II and Henry IV all visited the county, if only whilst leading expeditions to Scotland; and Northumbrians saw rather more of their king during the course of the fourteenth century than did the men of counties such as Cornwall, Lancashire or Derbyshire.

As so many Northumbrians were in regular contact with the crown, they had direct access to crown patronage; they therefore had less need of the good lordship offered by magnates. The Northumbrian gentry retained a considerable respect for magnate families such as the Percies and the Nevilles, who undoubtedly maintained a considerable standing in county society. For instance, relating how Henry Percy and Ralph Neville had come to the aid of his father at Norham, during the siege of 1319-21, Thomas Gray, the chronicler, described them as 'sagis, nobilis et richis, qi

Society of Antiquaries, MS 121, ff. 62v., 65; *CPR 1317-21*, p. 75; *CFR 1319-27*, p. 333. For Middleton, see above, p. 0n.).

<sup>196</sup> e.g., Walter de Creyk, Michael de Presfen, Stephen Muschamp, Richard de Thirlwall, John de Coupland, Robert de Ogle and Alan del Strother (*CFR 1327-37*, pp. 145, 375; *CPR 1334-8*, pp. 74, 108; *CFR 1337-47*, p. 66; *CDS*, iii, no. 1304; *CPR 1358-61*, p. 121; *Calendar of Charter Rolls 1341-1417*, p. 4; *Rot. Scot.*, i, 880).

<sup>197</sup> For the increasingly political role of the royal household, see Chris Given-Wilson, 'The King and the Gentry in Fourteenth-Century England', *TRHS*, 5th ser., xxxvii (1987).

graunt eide firent as marches'.<sup>198</sup> Nevertheless, Gray's father owed his advancement to neither of these families, having obtained his appointment as constable of Norham through the good lordship of Henry de Beaumont (although he did later cultivate some links with the Percies, as well as the earl of Atholl). Gray himself could afford to be more independent, having inherited a comfortable landed estate at a time when the ravaging of the Scots had been contained.<sup>199</sup> Gray was typical of many of his fellow Northumbrians in that he had only marginal connections with the Percy family, even though he held lands of the barony of Alnwick, amounting to a couple of knight's fees and rendering a total of about three marks in lieu of castle guard at Alnwick. He must have been reasonably well acquainted with Henry Percy (father of the first earl), for he served with him on various legal commissions and as a warden of the march (in 1361 and 1368); and in January 1357, soon after his release from captivity, he also witnessed a licence for Robert de Hilton to build himself a mill-pond, granted by Percy at Warkworth - all of which hardly amounts to classic 'bastard feudalism'.<sup>200</sup> Gray's son and heir was able to make an equally successful career in the Marches as a soldier and servant of the crown during Richard's reign, so successful that he managed to make an exceptionally good marriage to the sister of Thomas Mowbray, despite his having very few links with either the earl of Northumberland or the Duke of Lancaster.<sup>201</sup> Clearly, it remained entirely possible to gain social advancement in fourteenth-century Northumberland without having to rely on the patronage of the Percies, the Nevilles or Gaunt. Gray and his son were quite able to obtain employment in royal service on their own accounts, and simply did not need the patronage of a good lord to further their careers. However, the outstanding example of advancement by royal patronage is provided by John de Coupland. His initial advancement may well have been owed to the patronage of William Montague, but he made his own fortune on the battlefield of Neville's Cross. Having gained the king's favour, he was able to exert enormous influence on the operation of royal government in

<sup>198</sup> 'Wise, noble and wealthy, who did great service in the marches', *Scalacronica*, p. 147.

<sup>199</sup> King, 'Englishmen, Scots and Marchers', pp. 225-6.

<sup>200</sup> *CIPM*, xii, no. 242, pp. 228-29; *CPR 1348-50*, pp. 317, 452; *CPR 1361-64*, pp. 65, 291-92; *Rot. Scot.*, i, 857, 914; *Percy Chart.*, p. 346.

<sup>201</sup> For the younger Gray's career, see *Commons*, iii, 222-5; Given-Wilson, *The Royal Household and the King's Affinity*, p. 285.

Northumberland, exemplified by the forfeitures arranged by him in collusion with William de Nessfield. Indeed, Coupland was perhaps the most powerful figure in mid-fourteenth-century Northumbrian society, more powerful, perhaps, than even the Percies, whose interests and attentions were at this time divided between Northumberland, Yorkshire and France. The 'vertical' links in Northumbrian society were not with the local magnates, but rather, directly with the crown.

As the careers of men such as John de Coupland and the elder Thomas Gray suggest, Northumberland was by no means a 'closed' oligarchy; it was entirely possible for outsiders and *parvenus* to make their way into the county society. Sir John de Strivelyn was a Scot; however, as an adherent of Edward Balliol, he became one of the leading figures in the defence of the English marches, as well as serving Edward III in France on many occasions (including Crécy), and his high standing was confirmed when he eventually received a personal summons to parliament.<sup>202</sup> He owed his position in Northumbrian society entirely to royal favour: he was granted his lands in the county from the forfeited estate of John de Middleton (who had supported his cousin Gilbert's rebellion), as compensation for having been imprisoned and ransomed by the Scots. His marriage to Barnaba, a co-heiress of Adam de Swinburne, also appears to have been at the king's behest.<sup>203</sup> However, the marriage made him a brother-in-law of Gerard de Widdrington and William Heron, and he rapidly became a leading figure in marcher society. As such, he was much in demand as a witness to deeds - and in the charters recording these deeds, he invariably appears as the first witness.<sup>204</sup> David Holgrave was one of the many Cheshiremen who made their fortunes fighting in France. In 1368, he commanded a company in Brittany with John

<sup>202</sup> GEC, XII, i, 407-8. Aside from the obvious evidence of his toponym, Strivelyn is twice described as 'Scottish' by *Lanercost* (ed. Stevenson, pp. 285, 293); and at his inquest *post mortem*, jurors at York mentioned that he had been born in Scotland (*CIPM*, xv, no. 144).

<sup>203</sup> *CPR 1334-8*, p. 168; *CCR 1339-41*, p. 93; *CIPM*, vi, no. 751. Barnaba was unmarried at the death of her brother Henry in December 1326, which left her father's estates to be divided between her and her two sisters; her marriage would therefore have remained in the king's hand. She was married to Strivelyn by February 1329 (*Feet of Fines, Northumberland, 1273-1346*, no. 223).

<sup>204</sup> E.g., NRO, ZSW 4/83 (May 1349), 4/22 (January 1352/3), 2/29 (April 1357); *NDD*, p. 221 (August 1364); *NDD*, p. 127 (April 1367); NRO, ZSW 2/36 (January 1373).

de Cresswell, a Northumbrian squire who chose to make a military career on the continent rather than at home on the marches, and the two men became closely associated.<sup>205</sup> In 1380, Holgrave returned to England; but rather than retiring to his native Cheshire, he settled in Northumberland, having already obtained the marriage of Ellen de Bertram, a widowed Northumbrian heiress whose marital career was almost a match for Chaucer's Wife of Bath.<sup>206</sup> Despite his retirement from the French wars, Holgrave continued to bear arms when occasion demanded; for instance, he fought at Otterburn - where he was captured for his pains.<sup>207</sup>

Holgrave is a striking example of the dispersal of Cheshire *arrivistes* who had made their fortunes fighting for the king. It has been noted that in Cheshire, 'the prospects of advancement for local soldiers seem to have been far better in other parts of the realm', because, 'in all likelihood soldiers of relatively humble origins found it easier to gain acceptance in polite society in regions where their origins were unknown.'<sup>208</sup> This was far from being the case in Northumberland, for Northumbrian 'polite society' was full of men of relatively humble origin who had made their way as soldiers. The sudden and catastrophic collapse of the old cross-border society in 1296 had swept away many prominent Northumbrian families, because they had sided with the Scots; or because they were ruined by the loss of their Scottish lands; or because they were simply unable to adjust to the new and harsh conditions of war. The resulting vacuum was filled by families such as the Grays, the Hetons, the Heselriggs, the Raymes' and the Lilleburns, who had all come to prominence in Northumberland only after 1296, and primarily through military service. And this process continued throughout the fourteenth century; the Eshots, the Strothers, the Surtees', the Ildertons, the Grays of Horton, were all families who gained advancement at least

<sup>205</sup> Morgan, *War and Society in Medieval Cheshire*, p. 136-9, 162, 167-70, 175-7; Michael Jones, *Ducal Brittany, 1364-1399* (Oxford, 1970), p. 216. Holgrave and Cresswell appear to have been brother-in-arms (Morgan, *War and Society*, p. 166. This type of relationship is discussed by Maurice Keen, 'Brotherhood-in-Arms', in *idem*, *Nobles, Knights and Men at Arms in the Middle Ages* (London, 1996)).

<sup>206</sup> *Families*, i, 194. The couple were married by June 1377 (*CPR 1377-81*, pp. 1-2).

<sup>207</sup> The king granted him 200 marks towards his ransom (E 403 521, mm. 1, 3).

<sup>208</sup> Michael J. Bennett, *Community, Class and Careerism. Cheshire and Lancashire Society in the Age of Sir Gawain and the Green Knight* (Cambridge, 1983), pp. 187-8, 189.

partly through continuous military service, but who emerged from obscurity long after the advent of war. Crucially however, for Northumbrians, military service against the Scots did not entail prolonged absences from local society. A Cheshiremen might leave Cheshire as a humble archer and return years later as a rich captain;<sup>209</sup> it would hardly be surprising if such men should have had some difficulty finding a fitting station on coming back to their home county. By contrast, Northumbrians could gain considerable social advancement through military service without ever going further than a day's ride from home; and, as we have already seen, it was entirely possible to combine a military career on the Scottish Marches with an administrative career in Northumberland, coupling success in war with administrative preferment. This is not to say that all of this upward social mobility was entirely frictionless. There was certainly a degree of resentment against some of these *parvenus* from those Northumbrian families of long-standing influence which had managed to make the necessary adaption to wartime conditions - most notably the Herons, who were the main figures behind the murder of John de Coupland. But Coupland and the Herons were both exceptions which prove the rule. Coupland was a grasping and vindictive individual who did not trouble to make himself popular, whilst the Herons seem to have possessed a particular talent for falling out with their neighbours. Nevertheless, when William John, and Roger de Heron were bailed to appear before the council to answer for their involvement in Coupland's demise, John de Strivelyn was prominent amongst their mainperners.<sup>210</sup>

Beneath this patchwork of military patronage, political faction and criminal allegiances, Northumbrian landed society was based on much the same networks of neighbours and kin which underlay political society in the rest of England. In February 1371, the aged Roger de Widdrington had a son, John, by his second wife, Agnes. This was a cause for particular celebration, for his only other son (by his first wife)

<sup>209</sup> Examples of such upward-mobility are furnished by Sir Hugh Browe, Sir Nicholas Colfox and, most famously, Sir Robert Knolles, all of whom appear to have begun their careers as archers (Bennett, *Community, Class and Careerism*, p. 182). The fact of such advancement through service in France was noted - with obvious approval - by Thomas Gray in his *Scalacronica* (p. 181).

<sup>210</sup> Just 1/661, m. 8.

had already died.<sup>211</sup> The baptism was at Widdrington church, and was attended by a number of the great and good of Northumbrian society. Nicholas Raymes and John Heron were the godfathers; other guests included John and William de Lilleburn, and William de Swinburne, who came all the way from Roxburgh. There was evidently a party back at Widdrington Hall afterwards, and it must have been a good one, for William de Shaftoe, who was staying in Roger's household, got so drunk that he fell over and broke his leg. We only know of all this because, some twenty-one years later, the guests were called upon to witness that John de Widdrington was of age.<sup>212</sup> Undoubtedly, on those occasions when Northumbrian political society descended into factional bickering, or worse, conflicting factions formed around such networks; of the guests at the young John's christening, Raymes, Heron and William de Lilleburn had been amongst the aiders and abettors of John de Coupland's murderers, and Shaftoe (or, more probably, Shaftoe's father) had stood mainprise for them, along with Widdrington himself.<sup>213</sup> But whilst factionalism might grow from these networks, it did not actually generate them. Certainly, opposing political allegiances did not necessarily disrupt the normal routine of business and social transactions. In May 1320, John de Lilleburn acquired some land on Beanley moor, from the straitened William de Beanley. The deed was witnessed by (amongst others) John de Roddam, an adherent of Thomas of Lancaster - as was Lilleburn. However, the same deed was also witnessed by Gilbert de Burghdon and Roger de Horsley, both of whom had been appointed as keepers of the truce with the Scots in January, and would be appointed keepers of the peace in Northumberland in June, and who were therefore presumably considered loyal to the crown.<sup>214</sup> Likewise, in November 1384, Thomas Gray's son (and eventual heir) was born at Alnwick castle, and baptised at St

<sup>211</sup> Hedley, 'The Early Widdringtons', pp. 4-5. Roger died in *circa* 1372 (*Newminster Cartulary*, ed. Fowler, p. 305).

<sup>212</sup> 'Proofs of Age of Heirs to Estates in Northumberland in the Reigns of Edward III and Richard II', ed. C.H. Hartshorne, *AA*, 1st ser., iv (1855), p. 329. Such inquiries cannot always be relied upon, as the incidental details by which the witnesses at such inquiries verified their testimony sometimes turns out to be incompatible with the claimed age of the heir. Nevertheless, there is no reason to doubt that real incidents were being described; it is the chronology of these incidents which is unreliable, rather than the basic veracity of the incidents themselves.

<sup>213</sup> Just 1/661, m. 8.

<sup>214</sup> 'Woodman Charters', tr. Craster, p. 48; *CPR 1317-21*, pp. 233, 416, 459.



Michael's church, a few hundred yards away, at the very centre of Percy power in Northumberland. This would suggest that Gray had aligned himself with Percy - or, given Gray's lack of apparent links with the earl, that Percy was trying to buy his adherence with marks of favour. Nevertheless, one of the baby's godfathers was Thomas de Ilderton, a fee'd retainer of Percy's then arch-enemy, John of Gaunt. Nor was the rivalry of Gaunt and Percy allowed to hamper the vital business of fighting the Scots. Ilderton is listed in a Percy retinue roll dating from *circa* 1385, along with John de Fenwick and William de Swinburne, despite the fact that all were then fee'd Lancastrian retainers.<sup>215</sup> Even internal Northumbrian feuds were not allowed to get in the way of the conduct of business. In April 1358, John, son of John Hardyng, granted some property in Trickley (near Chillingham) to Alan de Heton. Amongst the witnesses to this transaction was Alan's half-brother, Thomas, with whom Alan had been engaged in a long and litigious family feud. Another of the witnesses was William Heron, who at various times was at loggerheads with two of the other witnesses, John de Coupland and Robert de Ogle.<sup>216</sup>

The testimonies of various witnesses at inquests to establish the age of heirs present a rare glimpse of the Northumbrian gentry peaceably hunting, dining and doing business together. John de Woodburn and Gilbert de Vaus were able to remember the birth of Henry Delaval, in January 1344, because they had been out hunting with his father; and Robert de Ogle was in Newcastle with William Hidwyn, Robert de Bellingham and others, when he heard the news of the birth of his son at Callerton, in December 1353. On the day, in September 1391, that his daughter Elizabeth was born, Henry de Heton sent Robert de Soppath to Norham to see Thomas Gray on unspecified business. John de Lisle bought a horse from William Carnaby in the same year, just after the birth of the latter's daughter, whilst John Strother could remember the birth of Carnaby's son, for he had been hunting with his neighbours, and saw the boy being taken to church to be baptised. Some five years later, John de Lilleburn took time off from the ride to William Heron's baptism at Whittingham to engage in a spot of hare hunting, with William Wetwang.<sup>217</sup> And such

<sup>215</sup> BL, Cotton Roll XIII 8.

<sup>216</sup> NRO, ZSW 2/28.

<sup>217</sup> 'Proofs of Age', ed. Hartshorne, pp. 326, 327, 330; 'Proofs of Age', ed. Hodgson, pp. 118, 120,

mundane everyday contacts undoubtedly did as much to shape the lives and careers of Northumberland's political elite as did such dramatic events as the battle of Neville's Cross, or the murder of John de Coupland - though these may have generated far greater quantities of parchment to record them.

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## CONCLUSION

### **‘LAND OF WAR’ OR ‘LAND OF LAW’?**

The impact of war on late medieval English society has been the subject of considerable academic debate in recent years. It has been suggested that in the century following the accession of Edward I, the enormous demands of war put an intolerable strain on royal government. Faced with the need to buy the support of the magnates and local gentry for campaigns which required not only massive taxation, but also the physical participation of large numbers of these same men, the crown effectively devolved its administration of justice into their hands. The Angevin ‘law state’ deteriorated into a Plantagenet ‘war state’.<sup>1</sup> According to historiographical orthodoxy, the need to defend the border against the Scots (in a war provoked and prolonged by the aggression of all three Edwards - or at least intransigence, in the case of Edward II) resulted in crown authority in Northumberland being increasingly delegated to local magnates acting as wardens of the March; and the county has long been presented as the epitome of lawlessness in late medieval England. Northumberland might therefore appear to present the perfect case study to exemplify this argument.

Before 1296, the Scottish border was of no great social significance, and whilst by this date, Northumberland had undoubtedly been fully integrated into the English polity, many of the Northumbrian gentry had looked for good lordship across the border, to the kings of Scots - particularly those who held land in Tynedale, a liberty held by Scottish kings for most of the thirteenth century. But with the outbreak of war, this alternative focus for Northumbrian society was removed, as cross-border ties were brutally severed. And in the absence of so many of the magnates who had been

<sup>1</sup> The most powerful recent statement of these arguments is Richard W. Kaeuper, *War, Justice and Public Order. England and France in the Later Middle Ages* (Oxford, 1988) - whose argument is, of course, far more subtle than the crudely over-simplified summary presented above. The debate is conveniently summarised by G.L. Harriss, ‘Political Society and the Growth of Government in Late Medieval England’, *Past and Present* cxxxviii (1993), pp. 28-30.

influential within Northumbrian society, but who now forfeited their English lands as adherents of John Balliol, it was the English crown which filled the resulting vacuum. Far from weakening Northumberland's ties with the English crown, the outbreak of war had the effect of bringing the gentry of the county into closer contact with royal government - frequently literally so, as military business brought many Northumbrians down to Westminster, throughout the fourteenth century.

Certainly, the government of Northumberland was inextricably bound up with the war effort; and it was increasingly placed in the hands of the local gentry, particularly those whom the crown relied upon for the defence of the county. As a result, the local administration came to be dominated by the county's military elite; and indeed, many of them took every opportunity to further their own interests, John de Coupland being a prime example. Coupland's career, in particular, does suggest that the needs of the crown to reward and support those of the gentry who were prominent in the war effort could sometimes serve to undermine good government. Furthermore, the Northumbrian gentry manipulated the crown's own administration, deliberately and systematically exaggerating the extent of war damage so as to evade taxes and other financial demands of the crown. The crown administration of Northumberland therefore functioned, in effect, partly for the benefit of the local gentry, a state of affairs which resulted in large part from the Anglo-Scottish wars. Nevertheless, despite this abuse of the machinery of royal government, this did not lead to any significant collapse of royal authority. In times of peace, or even truce, Northumberland continued to contribute to national taxation, and royal government in the county survived the traumas of war with surprisingly little ill-effect.

Nor was the maintenance of law and order permanently undermined by Scottish incursions. When Alan de Heton was imprisoned in his own castle at Chillingham, it was to the crown that he turned for remedy. It has to be said that the crown's efforts to free him were not especially effective, and the dispute was settled by arbitration; nevertheless, the settlement required Henry de Heton, the perpetrator of the deed, to travel all the way to Chancery in Westminster, to set under way a whole series of crown inquests. These inquests served in effect not only to record the details of the settlement, but also to make it binding, under the seal of royal authority. That Margaret del Strother thought it worth her while to travel down to Westminster to

seek redress for wrongs done to her in Northumberland suggests that this authority commanded a degree of respect there. The gentry of the county may well have been adept at abusing the bureaucracy of royal government, manipulating and defrauding it for their own ends, but nevertheless, they remained firmly attached to it. Nor did the increasing jurisdiction and powers wielded by the wardens of the March serve to undermine the authority of the crown. Henry Percy, earl of Northumberland, probably hoped that they would, but he failed to turn the county into a private fiefdom. Whilst his Yorkshire retainers proved willing to hold out in his Northumbrian castles against Henry IV, the Northumbrians themselves were distinctly less inclined to rebel in the Percy cause. In fact, at no time in the fourteenth century did any magnate succeed in dominating Northumbrian society.

In June 1373, at his castle at Warkworth, Henry Percy sealed a confirmation of the charters of Alnwick Abbey, for the sake of himself and his followers who were about to set out to 'partes guerrivas' ('warlike places'). In fact, Percy was about to join John of Gaunt's expedition to France; and the clear implication is that Warkworth - just twenty-five miles from the Scottish border - was not considered a *pars guerriva*.<sup>2</sup> In terms of the modern historiographical debate, the inhabitants of fourteenth-century Northumberland - if pushed - would perhaps have considered themselves to be part of a 'law state', rather a 'war state'. Whilst Northumberland was hardly typical of fourteenth-century England, the experiences of the county would suggest that - contrary to the 'war state' thesis - the impact of war upon the late medieval English state was not necessarily destructive of crown authority. Indeed, royal government in Northumberland withstood the shock of war remarkably well. It was the state of armed half-peace which pervaded the borders in the fifteenth century that led to a collapse of royal authority in the county, as the Lancastrian dynasty lost interest in Scotland, and the Marches once more became peripheral to the concerns of the kings of England, as they had been before 1296. By contrast, the full-scale Scottish wars of the fourteenth

<sup>2</sup> 'Charters of Alnwick Abbey', Tate, *History of Alnwick*, ii, app., pp. xxi-xxii. For Percy's participation in Gaunt's expedition, see James Sherborne, 'Indentured Retinues and English Expeditions to France, 1369-80' in *idem, War, Politics and Culture*, pp. 10-12.

century had served to tie the county of Northumberland closer to the interests of the government of England than it had ever been before - or would ever be again.

## Appendix 1

### **Documents**

All contractions have been silently expanded. Punctuation is editorial, though following the original punctuation where such exists.

[I] An indenture between Gilbert de Umfraville, earl of Angus, and Sir William de Swinburne, for military service, 22 September 1334.

Cest endenture feat entre monsieur Gilbert de Umframuil Count Dangos dune part, et monsieur William de Swynburn' dautre part, tesmoygne qe le dit monsieur William est demore oue le dit Count ly et deaux vallettz bien armes et bien mountes de leur mounture demene, de la fest seynt michil proscheyne a nemr apres le date de cestes par treys quartiers de lan proscheyne suauntz et plenerement acompliz. Et prendra du dit Count par le terme entier auaunt dit vintieme marcs dargent, et totes maners des autres costages par ly et ses deaux vallettz, com autres chiualliers prendre<n>t. Des queux vintieme marcs, le dit monsieur William prendra en mayne dis li et au fyne de son terme, cynk marcs. Et si ense saye qe le dit monsieur William sayt malades qe dieu de fende qil ne peut trauayller oue le dit Count en la gerr' Descoce ou en autre lu ou il aura afeare', qe le dit mons' William rendra arer au dit Count les dis li, auantditz a la fest seynt martyne proscheyne auenir saunz ascune countredit. Et a grayndre seurte feare', le dit monsieur William est oblige par ly, ses heirs et ses executours a la vaunt dit couenaunt tenyr et a la vaunt dit paye feare. En tesmoygne de quele chose les parties auaunt ditz a cest endenture entrechauniablement eunt uns leur seales. Escrit a nostre Chastel de Prudhough le Judy proscheyne apres la fest seynt Mathew Lapostle, lan du regne nostr seigneur le Roy Edward tierce apres le conquest oytisme.

NRO ZSW 1/58.

[II] A letter describing the defeat of a Scottish raiding party in June [1340].

Tres cher sire, Endreit' des nouvelles vers noz parties, voillez sauoir qe le Counte Patrik' et le Counte de Sotherland vyndrent en les parties Dengleterre le xxviij. iour de Juyn dirrain passe et praierent le terre tancqz a deus lieus de Bamburgh et pristrent bien a deus mille

grosses bestes et pleuseurs persons, et quant ils auerent pris lour praies et auerent ars la terre, ils se qiererent vers les parties de Dunbar, et bien a quatre lieux deinz la terre Descoce les compaignons de Rokesburgh les encountrent et descenderent a pie et combaterent aucsqi eux issint et par la grace de dieu, ils feurent a celle heure descomfitz' et plus de la moyte de lour gentz feurent pris' et mortz et as toux les persons et bestes qils auoient pris' et praiez en Engelterre a celle iourne feurent rescutz, et a grant peyne les deus Countes eschaperent. Et vereme[nt] le poigne feut dure et fort, et il ny auoit nul hom du pays, sicome monsieur Thomas de Grey et monsieur Robert du Manoirs qi vyndrent illeoques auant qils feurent tout outrement discomfitz et mys a mestchief, mes taunt seulement les compaignons de Rokesburgh' et les gentz du meen qe demorantz en le Chastel de Werk' en la compaignie Johan de Coupelande. Et sachez sire qe iai afforte le Chastel de Werk' od dics hommes darmes a mes coustages tantqz iai auts nouelles de mon seigneur . Et sire meisme le iour auantdit Alisandre de Rameseye oue deus Centz hommes darmes ouesqz lui auoient fait vne embuschement a deus lieux de Rokesburgh, et quant mes compaignons fuerent venuz a lostiel et feurent assis a manger, ils debrissent lour embuschement et vyndrent deuant Rokesburgh, et volerent auoir ars le ville, mes mercie a soit dieux la ville feut rescuse, et partie de lour gentz fuerent pris et mortz, et ils se retournerent saunz nulle manere de gayne a celle heure. Et par ce qe les chiuaux mes compaignons feurent recrus, et ils feurent las de traual , ieo ne violleie mye soeffrer, qe nulle issue feut fait sur eux adonqs'. Et sire endroit de les trois freres qe sont appelez Johan Ker, Thomas Ker et Henr' Ker qe feurent les plus grants enemys qe ieo auoi en la foreste, ou en la compaignie William Douglas, voillez sauoir sire, qe Johan Ker est mort par iouster de guerre de vne coupe qe vn de mes vadletz liu ferst permy le corps et permy son haketon' et hauberioun et les autres dous freres Thomas et Henr' sont en ma garde et a ma volunte sicome prisoners pris de guerre. Et sire endroit daucune secre busoigne dount vous savez qe feut parle en la chambre monsieur Henr' de Ferers en la presence de lui et de vous, ne porront mye estre exploite tanqz en ore par enchaizon qe lour host ad estre gisant toute foiz en la foreste, mes verment par si la busoigne porront' estre mene a fyn, il ne y auoit si grant exploit sur la guerre, si ne feut par bataille .

SC 1/54/30 (calendared *CDS*, v, no. 809).

The same incident is described in the *Scalacronica*, in comparison with which it can be dated to 1340. The letter's author was clearly a figure of authority in Roxburgh;



William de Felton, then constable of the castle, and a veteran of the Scottish wars, is the obvious candidate.<sup>1</sup>

[III] A petition to the king and council, from the knights and sergeants of the community of the county of Northumberland. Not dated, but submitted *circa* July 1346 (cf. C 49/7/20, no. 1). Tagged for seals, which appear to have been removed; however, a list of those whose seals were attached is appended, in a chancery hand.

Au Chauncelere nostre seigneur le Roy et a counsaile, monstereute et ces pleignent tous la comoune de la counte de Northumbr' cheualers et sergaunz de ces qe treys cessiouns des assisez sunt faillez deuant ces lioiues ex care le Lundi procheyn deuant le fest de seynte Mychell a la venu dez justices a Nouell Castell le quarte cessioun de les assise prendre si fust vne bref mys auaunt a les justices par Edmound de Fenome pur sur sere de les assise prendre a celle quarte cessioun par suggestioun et cause nyent couenable, mez en countre la volunte de tote la comune du counte et a leur graunt damage et desheritissoun. La suyte de quelle breff Edmond de Fenome auena en la Chaunselrie en leur nomme saunz scwe [*sic.*] ou volunte ou garraunt de eaux au graunt damage nostre seigneur le Roy et dezherisoun du pouple pear qay sires p'omms puer diens et pur loueur et profist nostre seigneur le Roy et de people et puer la lay de la trechere saufluere qe tels mauways a faus suggestiouns et ceaux qui les suount sayent bn' primis issi qe dictis event ensaumple de tels faus suggestiouns soueque en la courte nostre seigneur le Roy. Sirez le transescript du breff vos enusyeums.

C 49/7/20, no. 2.

Ceux sont les les nommes des chevaliers et seruauntz entr' alq's de la communalte du counte de Northumbr' pleignans' qux ount uns lour seals a cest bille:

mons' Thomas de Gray', mons' Walterus de Creyk, mons' Robertus de Maners, mons' Robertus de Esselyngton', mons' Robertus del Yle de Wodeburn', mons' Robertus del Yle de Chipches, mons' Williamus de Swynburn', Williamus Heron', Johan Heron', Johan de Coupeland, Rogerus de Wydryngton', Robertus de Hagerston', Walter de Hakford,

<sup>1</sup> *Scalacronica* (Leland), p. 299; E 101/22/40. I owe this suggestion to the kindness of Dr Andrew Ayton.

Robertus de Clyfford, Thomas de Heton', Alisaundre de Cheswyk, Robertus de Tughale, Michaelis de Pressen', Dauid Gray, et pluriis alteriis [*sic.*].

C 49/7/20, no. 3.

All the seals from C 49/7/20, no. 2 are missing, and the tags appear to have been neatly cut. The contemporary attachment of C 49/7/20, no. 3, listing the names of those whose seals were originally appended, suggests that these seals may have been deliberately removed in the Chancery, presumably to facilitate handling and storage of the petition, which would have been rather awkward with nineteen lumps of wax dangling from it. If the list of names was derived solely from the attached seals, this might explain a couple of puzzling anomalies that occur in it. Sir *Robert* de Lisle de Woodburn is clearly an error for Sir *John* de Lisle de Woodburn, who features prominently in contemporary witness lists,<sup>2</sup> whereas no *Robert* de Lisle de Woodburn is recorded at this time. Similarly, *Robert* de Clifford must be an error for *John* de Clifford; John had succeeded to the family lands at Ellingham in 1339, inherited from his grandfather Robert, following the early deaths of his father and elder brother, both also called Robert; there were no other Robert de Cliffords left in the county.<sup>3</sup>

[IV] A letter from Sir Thomas Gray to the earl of Northampton, regarding a ransom dispute. Not dated.

A mon seigneur le Counte de Northanton', Conestable de Angleterre et lieutenaunt nostre seigneur le Roy les marches des Scotas, meister si ly plect Thomas Gray. Q' il estoit pleg' par le entr' Alayn de Hetoun et William seigneur de Duglas en defaute de qel entr' le dit Thomas este counreynt de se entr' en prison', de qoi y prie a son' dit seigneur de remedi.

DL 34/1/21.<sup>4</sup>

[V] A copy, probably contemporary, of a letter from Sir William Swinburne to Henry Bolingbroke, requesting him to exert his influence in a property dispute. Not dated, but probably written between April 1388 and November 1389.<sup>5</sup>

Pleise a tres honorable Sire le Counte de Derby de parler a Counte de et [*sic.*] Northumbr' et a monsieur Henry de Percy son fitz q'ils ne soy mellent entres quez monsieur Henry de

<sup>2</sup> e.g. NRO, ZSW 2/24, 4/83; *NCH*, vi, 208n.

<sup>3</sup> *NCH*, ii, 239.

<sup>4</sup> The letter presumably found its way into the Lancastrian archives when Henry Bolingbroke married Mary de Bohun.

<sup>5</sup> For the date, see above, p. 123.

Heton encountir monsieur William de Swynburn, monsieur Johan Fenwyk, Bachelers a tres noble Sire vostre pier, et lour proceuors, touchaunt les tenementz les queux iadys feurent a monsieur Aleyn de Heton, issint qe si bien le droit de Roy come des parties poet estre salue par dieu et en oeuvre de charite.

NRO ZSW 1/105.

[VI] A draft for a petition to be presented in parliament. Not dated, but in a late fourteenth-century hand.

Suppliant lez Comons qe toutz lez manoirs, villez, terres et tenementz deins la Countie de Northumbr' queux parount estre trous par loiale enquierre destrutz par lez Enemys descoce, ne soient chargez de disme ne quinzisme en cest present parliament grauntez, a cause del destruction susdit

NRO ZSW 4/55.

## Appendix 2

### FORFEITURES BY LANDOWNERS IN NORTHUMBERLAND FOR ADHERENCE TO THE SCOTS, 1296-1307

	Northumbrian lands	Other English lands	Scottish lands
<b>Henry de Aynstrother, kt</b>	¼ of Hetherington (Tynedale)		Fife
<b>John de Balliol*</b>	Wark in Tynedale, <u>£48 9s</u> ; Barony of Bywell, <u>£32 18s</u> ; Woodhorn, <u>£12 6s</u>	Barony of Gainsford (Dur.); & in Rutland, Middlesex, Beds., Derbs. & Lincs.	King of Scots
<b>Agnes de Blamyr†</b>	Norhamshire, held in dower		
<b>Alexander de Bunkle</b>	Lilburn; Shawdon; 2/3 of Fenwick; (held by his wife).	Uldale (Cumb.), £9, held of Sir Thomas de Lucy	
<b>William de Chartres*</b>	Wooden, £10, given by his father, Henry		Roxburghshire; Banffshire
<b>John Comyn of Badenoch, kt*</b>	Tarset, <u>£200</u> ; Stonecroft (both Tynedale)		
<b>John Comyn the younger*</b>	Wallwick, Thornton, Henshaw (Tynedale), £48 11s		
<b>Edmund Comyn, of Kilbride, kt*†</b>	Newham (Bamburgh par.), <u>£21 6s</u>	Fakenham Magna (Suff.) & Sacomb (Herts.), £48 17s.; Yorks.	West Linton (Pee.), £10; East Kilbride; <i>Nenflare</i> , £5, <i>Farm</i> (Lan.)
<b>Robert de Creswell*†</b>	Hebron, <u>7s</u> , held by purchase		
<b>William de Douglas, kt*</b>	Fawdon (Ingram par.) - held of the Umfravilles; Warenton	Stebbing, £53 9s, Woodham Ferrers, £16 3s (Essex)	Douglas (Lan.); & in co. Dumfries, Wigton, Fife, Berwick, Ayr and Edinburgh
<b>John de Dromond</b>	Held in dower by his wife		
<b>Thomas of East Nesbitt†</b>	Norhamshire		Berwickshire
<b>Gilbert de Embleton†</b>	Purchased from his father		
<b>Nicholas de Fawside†</b>	Doddington, £1 13s, held by his wife in dower		Roxburghshire
<b>Richard Fraser, kt*</b>	Adderstone (Bamburgh par.)		Tolkefrisel (Stir.); Arkelton (Dum.); & in cos. Peebles, Berwick, Roxburgh & Edinburgh
<b>Peter de Glynquym†</b>	Heir to the lands of his mother, Joan de Blamyr		
<b>Nicholas de Graham, kt*†</b>	½ barony of Wooler, £29 14s, held in chief by inheritance of his wife		Eskdale (Dum.); Hassington (Ber.), held of earl of March; Linlithgow
<b>Robert de Gray, kt</b>	Heton (Norhamshire)		Berwick
<b>Henry de Haliburton*</b>	Spindleston (Bamburgh par.), <u>£13 12s</u> , held by his wife		Bar. of Mordington & other lands in co. Ber.

<b>Aymer de Hawden, kt†</b>	Held by inheritance of his wife		Edinburghshire; Roxburghshire; Peebleshire
<b>Michael de Lothian</b>	Wotton, <u>3s</u>		
<b>William de Maleville</b>	Norhamshire, claimed by his widow		<i>Hundwallehope</i> (Pee.), £12 11s; <i>Retrevyn</i> (Rox.); & in co. Edinburgh
<b>Roger Mareschal of Copoun†</b>	Cowpen, held by inheritance and purchase		
<b>William de Moray of Drumsargard†</b>	Held by inheritance and purchase	? Houghton, £4	Lanarkshire
<b>Thomas de Moralee*</b>	½ manor of Moralee (Tynedale), <u>10s</u>	Ellenburgh & Broughton, 2m.; <i>Pikehou</i> ; (all Cumb.), none held in chief	
<b>Patrick, c. of March</b>	Barony of Beanley		Earldom of Dunbar
<b>Robert de Paxton†</b>	Abberwick, <u>£1</u> , inherited from his grandfather, William de Paxton		Paxton, £18 7s (Ber.)
<b>William de Paxton*</b>	Abberwick, <u>£1</u> , held of Robert de Bellingham		Paxton, £7; Aldengrave, £2 11s (Ber.)
<b>Hugh de Penycok†</b>			Edinburghshire
<b>William Portert†</b>	Held by his wife's inheritance		Lanarkshire
<b>Robert de Ros, kt*</b>	Barony of Wark on Tweed, held of William de Ros of Helmsley; Bellister, £31, & Plenmellor (Tynedale)	Cargow (Cumb.)	Ayrshire; Greiston (Pee.)
<b>Aymer de Rotherford*</b>	½ manor of Moralee (Tynedale), <u>10s</u> ; Briar Dene, <u>£3 1s</u>		Roxburghshire
<b>Nicholas de Rotherford, kt</b>	Doddington, £4 10s - held of Robert fitz Ralph		Newbigging (Ber.)
<b>Thomas de Selkirk†</b>	Norhamshire, held by purchase		Berwickshire
<b>Richard Siward, kt*</b>	Espleywood (Tynedale), <u>£11 16s</u>	Chelveston (Northants.), £38 3s	
<b>John de Somerville*†</b>	Hedgeley, £5, of his father's gift, held of William de Felton		Clifton (Rox.)
<b>Thomas de Soules, kt*</b>	1/3 Heugh (Stamfordham par.), £10 1s - held of the barony of Bywell		Roxburghshire
<b>Thomas de Stanton*</b>	Mitford?		
<b>John de Shilvington</b>	Shilvington, <u>£7 6s</u>		
<b>John de Shitlington*</b>	Shitlington (Tynedale)		
<b>Adam de Swinburne, kt*</b>	Simonburn (Tynedale), <u>£9 8s</u> , held of John de Graham in free marriage	Bewcastle (Cumb.), £4 11s.	
<b>John de Tyndale†</b>	Tynedale, held by purchase		
<b>Ingram de Umfraville, kt†</b>			Ayrshire
<b>Hugh de Walle</b>	Chipchase (Chollerton parish), <u>£1</u>		
<b>Thomas Walran†</b>	?		
<b>John Wishart, kt*†</b>	Moneylawes, 20m - held by right of his wife, of Robert de Ros; Knaresdale (Tynedale), held by wardship of John Prat, <u>£25 11s</u>		Roxburghshire - held of the Umfravilles; Stirlingshire

## Notes and References

\* Named by the Sheriff of Northumberland, in reply to a writ (dated 27 April 1296) demanding the confiscation of the lands of John Balliol, 'nuper Regis Scotie', and of all those owning land in England but who remained (*morabantur*) in the Kingdom of Scotland (Stevenson, *Docs*, ii, 40-7).

† Named as an enemy of the king in the late war in Scotland, now admitted to the king's peace, and whose lands were ordered to be restored in 1304, under the terms of the settlement of Scotland (*CCR 1302-7*, pp. 129-31).

‡ Admitted to the king's peace in 1305.

The table owes its inspiration to Stringer, 'Fontier Society in the Far North', tables 1 & 2.

All values include rents, and are rounded up to the nearest shilling; where different valuations exist, the highest has been given here, as lower valuations usually reflect the affects of warfare after these lands were forfeit. Figures underlined are for an accounting period of longer than a year (but less than two), those in *italics* are for an accounting period of less than a full year. Obviously these figures are not therefore directly comparable, but they do provide a rough indication of the comparative worth of an individual's various holdings.

Unless stated below, references are taken from Stevenson, *Docs*, ii, 40-9; *CDS*, ii, nos. 736, 823, 963; *Ins. pub.*, *passim*; *CIM 1219-1307*, no. 1764; *CCR 1302-7*, p. 129-31.

Alexander de Bunkle: *CIPM*, iii, no. 607; *NCH*, xiv, 434-5, 557.

William de Chartres: *CDS*, ii, no. 1435; Palgrave, *Recs*, p. 299. The sheriff's return records that de Chartres held 'Colden', as the gift of his father Henry; however, this is an error for Wolvden (*i.e.* Wooden, near Alnmouth), which was described as forfeited by Henry de Chartres in 1298 (*CCR 1296-1302*, p. 169; *CDS*, ii, no. 992). William subsequently inherited *Appeltrerig* (Roxburghshire), held of the regality of Sprouston, from his mother, Agnes de Vesci (d. c. 1302) - *CDS*, ii, no. 1435.

Edmund Comyn, of Kilbride: *CDS*, ii, no. 1608 (p. 424); *CIPM*, ii, no. 486; *CIPM*, v, no. 499; *Regesta Regum Scottorum V*, ed. Duncan, nos 83, 358; *NCH*, i, 270-3; Young, *The Comyns, 1212-1314*, p. 81.

John Comyn: *Calendar of Charter Rolls 1257-1300*, pp. 40-1.

Robert de Cresswell: *CDS*, iv, no. 1770. Northumberland lands purchased from John Daguiillon and Joan, his wife.

William de Douglas: *Assize Rolls of Northumberland*, ed. Page, pp. 16-17; *CCR 1296-1302*, p. 225; *The Scots Peerage*, ed. J. Balfour Paul, 9 vols (Edinburgh, 1904-14), iii, 139.

Thomas de East Nesbit: *Rot. Scot.* i, 26.

Nicholas de Fawside: *CDS*, ii, no. 1043; *NCH*, xiv, 163.

Richard Fraser: *Rot. Scot.* i, 26; Palgrave, *Recs*, pp. 303, 309.

Nicholas de Graham: *CPR 1292-1301*, pp. 513, 577; *CDS*, iv, no. 1804; *CIPM*, ii, no. 823; *CIPM*, iv, no. 364; *Regesta Regum Scottorum V*, nos. 110, 444.

Robert de Gray: Gray's manor of Heton was seised by Anthony Bek as a forfeiture because Gray 'died in Scotland against his fealty to the king' (*RPD*, i, 77-8). Though the date of this forfeiture is not mentioned, it obviously occurred before Bek's death in 1311, and probably during Edward I's reign. For Gray's land in Berwick, see King, 'Sir Thomas Gray's *Scalacronica*', p. 9.

Henry de Haliburton: *CDS*, ii, no. 1131; *Regesta Regum Scottorum V*, no. 451.

Aymer de Hawden: Palgrave, *Recs*, p. 300; *Northumb. Pets*, pp. 22-3.

William de Maleville: *Rot. Scot.*, i, 29; Palgrave, *Recs*, p. 300; *CDS*, ii, no. 1436; *Northumb. Pets*, pp. 22-3. Maleville died in February 1298, having returned to 'the king's faith and peace'.

Roger Mareschal of Copoun: Three messuages and a carucate of land in Cowpen were recorded in 1335 as having been forfeited by one Thomas Mareschal (*CPR 1334-8*, p. 78). It is not

unreasonable to presume that Thomas was Roger's heir, and that these were the lands earlier forfeited by Roger, and restored in 1304.

Thomas de Moralee: *CIPM*, iii, no. 278. Note that the value given for Moralee is based on the income from the entire manor - recorded as 21s 8d - when both moieties had been forfeited and were accounted for as a single unit.

William de Moray of Drumsargard: The sheriff of Cumberland confiscated Houghton from one William de Moravia in 1296 (Stevenson, *Docs*, ii, 42). However, he did not state whether this was William Moray of Drumsargard or William Moray of Tullybardy, both of whom were active at this time (*ibid.*, ii, 168-9).

Patrick, earl of March: *CCR 1296-1302*, p. 9; *CIPM*, v, no. 80.

Robert de Paxton: *CDS*, iii, no. 461. The lands in Northumberland restored in 1304 were inherited from his grandfather, William de Paxton.

William de Paxton: *Priory of Coldingham*, ed. Raine, app., pp. lxxxviii, xcii; *CIPM* iii, no. 562. William was the grandfather of Robert de Paxton (above), and was dead by August 1300. Note that the value of William's Scottish lands is derived by halving the values recorded for forfeited lands which he had held jointly with one Hugh de Paxton, of Coldingham Priory.

Hugh de Penycok: Palgrave, *Recs*, p. 300.

Robert de Ros: *CDS*, iv, no. 1835; *CIPM*, v, no. 396; *The Register and Records of Holm Cultram*, ed. Francis Grainger & W.G. Collingwood, Cumberland and Westmorland Antiquarian and Archaeological Society Record Series vii (1929), p. 60.

Aymer de Rotherford: Palgrave, *Recs*, p. 183. Note that the value given for Moralee is based on the income from the entire manor - recorded as 21s 8d - when both moieties had been forfeited and were accounted for as a single unit.

Nicholas de Rotherford: *Registrum Magni Sigilli Regum Scotorum*, ed. Thomson, i, 5; *CDS*, ii, no. 1043; *CPR 1292-1301*, p. 532-3; *NCH*, xiv, 162-3.

John de Shitlington: Stevenson, *Docs*, ii, 46. Named as Stutlington in the sheriff's return of 1296, he can be identified with the John de Scutelyngton whose forfeited manor of Scutelyngton in Tynedale is mentioned in an inquest of February 1297 (*CIM 1219-1307*, no. 1764).

Richard Siward: Stevenson, *CDS*, iv, no. 1770.

John de Somerville: *CDS*, ii, nos. 1811, 1823; Palgrave, *Recs*, pp. 304-6.

Thomas de Soules: *CDS*, ii, no. 1035; *CDS*, iv, no. 609; *CCR 1318-23*, p. 38-9.

Thomas de Stanton: Though there appears to be no record of the lands held by Stanton, this is presumably the same Thomas de Stanton who served as a juror for the borough of Mitford for the General Eyre in Northumberland in 1279 (*Assize Rolls of Northumberland*, p. 398). As the village of Stanton is near Mitford, he may be assumed to have held lands there.

Adam de Swinburne: *CDS*, ii, no. 841; *CIPM*, vi, no. 164.

John de Tyndale: (land in Tynedale, purchased from Adam de Haltwhistle, chaplain). This is presumably the same John who appears, in an undated series of deeds, as a younger son of William son of Thomas de Tyndale (Hodgson, *Northumb.*, II, iii, 61n).

Ingram de Umfraville: *CCR 1302-7*, pp. 290-1.

Hugh de Walle: Stevenson, *Docs*, ii, 48.

John Wishart: *CDS*, ii, nos. 832, 1596; *CDS*, iv, no. 1770; *CIPM*, ii, no. 52; *ibid.*, iii, no. 52; *CIM 1219-1307*, no. 1795; *Regesta Regum Scottorum V*, no. 399; *CCR 1302-7*, pp. 290-1.

## Appendix 3

### Northumbrian Casualties and Prisoners of War, 1296-1402

#### Fatalities

<b>Robert Delaval</b>	Sep. 1297	killed at the battle of Stirling Bridge
<b>John Cambo</b>	Feb. 1303	killed at the battle of Roslin
<b>Guischard de Charron, the younger</b>	Jun. 1314	killed at the battle of Bannockburn
<b>Edmund de Comyn</b>	Jun. 1314	killed at Bannockburn
<b>Robert Bertram</b>	Jun. 1314	killed at Bannockburn
<b>Robert de Felton</b>	Jun. 1314	killed at Bannockburn
<b>Elias the clerk</b>	Mar. 1317	killed by James Douglas at Lintalee, nr Jedburgh
<b>John de Burghdon</b>	Aug. 1332	killed at the battle of Dupplin Moor
<b>Richard de Emeldon</b>	Jul. 1333	killed at the battle of Halidon Hill
<b>Walter de Selby, and 2 of his sons</b>	Oct. 1346	captured at Liddel Peel by Scots and executed, before the battle of Neville's Cross
<b>Two sons of Robert de Ogle</b>	Nov. 1355	killed in a Scottish attack on Berwick
<b>Thomas de Blenkinsop</b>	c. Apr. 1388	captured by the Scots; died in captivity

#### Captures

<b>Hugh de Gray</b>	1296 X 1318	captured by the Scots, 3 times <sup>1</sup>
<b>William de Ros</b>	Sep. 1297	captured at Stirling Castle, after the battle of Stirling Bridge <sup>2</sup>
<b>Thomas de Gray</b>	May 1303	captured in a skirmish at Melrose Abbey <sup>3</sup>
<b>Thomas de Gray</b>	Jun. 1314	captured in a skirmish before the battle of Bannockburn
<b>John de Clavering</b>	Jun. 1314	captured at Bannockburn
<b>Robert de Clifford<sup>4</sup></b>	Jun. 1314	captured at Bannockburn
<b>Roger Corbet</b>	Jun. 1314	captured at Bannockburn
<b>Robert Delaval</b>	Jun. 1314	captured at Bannockburn
<b>John de Eslington</b>	Jun. 1314	captured at Bannockburn
<b>John de Eure</b>	Jun. 1314	captured at Bannockburn
<b>John de Heselrigg</b>	Jun. 1314	captured at Bannockburn
<b>William de Muschamp</b>	Jun. 1314	captured at Bannockburn
<b>Robert de Umfraville, earl of Angus</b>	Jun. 1314	captured at Bothwell castle, after Bannockburn
<b>Ingram de Umfraville</b>	Jun. 1314	captured with Gilbert de Umfraville
<b>Robert de Raymes</b>	c. 1316	captured by the Scots
<b>William de Felton</b>	c. 1318	captured by the Scots <sup>5</sup>



<b>Walter de Goswick</b>	Apr. 1318	captured at the fall of Berwick
<b>Luke de Warton</b>	aft. Jun. 1318	captured by the Scots
<b>Henry de Ogle</b>	c. 1319	captured by the Scots
<b>John de Fawdon</b>	bef. c. 1322	captured by the Scots, twice <sup>6</sup>
<b>John de Goswick</b>	bef. Oct. 1322	captured by the Scots
<b>John de Strivelyn</b>	Sep. 1334	captured in a skirmish near Linlithgow
<b>John de Felton</b>	Sep. 1334	captured with John de Strivelyn
<b>John de Coupland</b>	c. Jun 1338	captured whilst besieging Dunbar castle
<b>Robert de Manners</b>	1338	captured in a skirmish at Pressen, Northumberland <sup>7</sup>
<b>John de Lilleburn (the elder)</b>	bef. Oct. 1341	captured by the Scots, on the king's service <sup>8</sup>
<b>Adam de Eshot</b>	bef. Oct. 1341	captured by the Scots, on the king's service
<b>James de Selby</b>	Oct. 1346	captured at Liddel Peel by the Scots
<b>Alan de Heton</b>	Oct. 1350 X May 1352	captured by William Douglas
<b>Thomas de Gray (the younger)</b>	Oct. 1355	captured in a skirmish at Nesbit, Berwickshire
<b>Gilbert de Babynton</b>	c. 1372	captured by the Scots <sup>9</sup>
<b>John Horsley</b>	c. 1375	captured by the Scots <sup>10</sup>
<b>John de Lilleburn, and his brother</b>	Aug. 1377	captured in a skirmish at Carham, Northumberland
<b>Thomas de Musgrave</b>	Aug. 1377	captured in a skirmish at Melrose <sup>11</sup>
<b>Ralph Lord Greystoke</b>	Jun. 1380	ambushed and captured at Horse Rigg, Northumberland, in time of truce
<b>John de Cresswell</b>	Jun. 1380	captured with Lord Greystoke
<b>Walter Tailboys</b>	Jun. 1380	captured with Lord Greystoke
<b>William de Swinburne</b>	Jun. 1386	captured during a Scottish attack on Wark castle <sup>12</sup>
<b>Henry Percy <i>le filz</i></b>	Aug. 1388	captured at the battle of Otterburn
<b>Ralph Percy</b>	Aug. 1388	captured at Otterburn
<b>David Holgrave</b>	Aug. 1388	captured at Otterburn
<b>Alan Horsley</b>	Aug. 1388	captured at Otterburn, with Henry Percy
<b>Nicholas Raymes</b>	Aug. 1388	captured at Otterburn
<b>William de Carnaby</b>	Jul. 1389?	captured in a Scottish raid <sup>13</sup>
<b>John Roddam</b>	bef. Sep. 1400	captured in battle in the marches
<b>Richard Ogle</b>	bef. Nov. 1401	captured by the Scots
<b>Alexander Heron</b>	bef. Mar. 1402	captured by the Scots
<b>Alan and John de Fenwick</b>	bef. Jul. 1402	captured by the Scots <sup>14</sup>

<sup>1</sup> *Northumb. Pets*, p. 159. Note that references have only been provided for this appendix where they have not already been provided in previous chapters

<sup>2</sup> *CDS*, no. 1835.

<sup>3</sup> *Scalacronica*, pp. 126-7.

<sup>4</sup> N.B. This is the Northumbrian lord of Ellingham, not the Westmorland baron of the same name who was killed in the same battle.

<sup>5</sup> *Northumb. Pets*, p. 149.

<sup>6</sup> *Ibid.*, p. 143.

<sup>7</sup> Bower, vii, 148; Wyntoun, vi, 150-1; *Scalacronica*, p. 168.

<sup>8</sup> *CCR 1341-3*, 297-8. This is the father of the John de Lilleburn who was captured in 1377.

<sup>9</sup> 'Proofs of Age', ed. Hartshorne, p. 329.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Chronicon Angliæ*, ed. Thompson, pp. 165-6.

<sup>12</sup> Hodgson, *Northumb.*, II, i, 215.

<sup>13</sup> *CPR 1388-92*, 338.

<sup>14</sup> *NDD*, p. 56.

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ZRI Ridley (Blagdon) MSS.

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